

ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
TWENTY-THIRD AND TWENTY-FOURTH YEARS OF THE REIGN OF HIS MAJESTY
KING GEORGE V

BEING THE
FOURTH SESSION OF THE SEVENTEENTH PARLIAMENT

Begun and holden at Ottawa, on the Sixth day of October, 1932, and closed by
Prorogation on the Twenty-seventh day of May, 1933



HIS EXCELLENCY THE RIGHT HONOURABLE
THE EARL OF BESSBOROUGH
GOVERNOR GENERAL

PART II
LOCAL AND PRIVATE ACTS

OTTAWA
PRINTED BY JOSEPH OSCAR PATENAUDE
ACTING LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1933

23-24 GEORGE V.

CHAP. 56.

An Act respecting The Algoma Central and Hudson Bay Railway Company.

[Assented to 9th May, 1933.]

WHEREAS The Algoma Central and Hudson Bay Railway Company has by its petition prayed that the time may be extended for the construction and completion of that portion of their line of railway extending from the National Transcontinental Railway to some point on James Bay, and it is expedient to grant the prayer of the said petition:—Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1899, c. 50;
1901, c. 46;
1902, c. 38;
1905, c. 53;
1906, c. 54;
1907, c. 57;
1909, c. 40;
1910, c. 65;
1911, c. 34;
1912, c. 48;
1916, c. 32;
1927, c. 78;
1930, c. 51.

1. The Algoma Central and Hudson Bay Railway Company, hereinafter called "the Company" may within five years from the date of the passing of this Act commence to construct that part of the extension of its line of railway, authorized by section three of chapter forty-six of the Statutes of 1901, which now remains unconstructed, namely, from the point of intersection of the Company's line of railway with the National Transcontinental Railway to some point on James Bay not further north than Equam River; and may within ten years after the passing of this Act complete the said line of railway; and if within the said periods respectively the said line of railway is not commenced or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said line of railway as shall then remain uncompleted.

Extension
of time for
construction
and com-
pletion of
line of
railway.

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23-24 GEORGE V.

CHAP. 57.

An Act respecting The Nipissing Central Railway Company.

[Assented to 9th May, 1933.]

WHEREAS The Nipissing Central Railway Company, hereinafter called "the Company", has by its petition represented that it was authorized by its Act of incorporation, chapter one hundred and twelve of the statutes of 1907, to construct and operate certain lines of railway as therein set forth; and that the Company has commenced to construct and operate the said lines of railway but has been unable to complete the same within the time fixed by chapter sixty-three of the statutes of 1928, namely, the eleventh day of June one thousand nine hundred and thirty-three; and has prayed that the time for the completion of its lines of railway may be further extended, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons, enacts as follows:—

Preamble.
1907, c. 112;
1908, c. 135;
1913, c. 160;
1918, c. 56;
1923, c. 80;
1923, c. 63.

1. The Company may within five years from the passing of this Act complete and put in operation the lines of railway and branch which the Company is by section seven of chapter one hundred and twelve of the statutes of 1907, section two of chapter fifty-six of the statutes of 1918 and section one of chapter sixty-three of the statutes of 1928 authorized to construct and operate, namely:—

Extension of
time for
completion.

- (a) Extending from a point in or near the town of Latchford, in the district of Nipissing, now the district of Timiskaming, in the province of Ontario, thence through the townships of Coleman, Bucke, Dymond, Harris and Casey to a point on or near Blanche river, thence in a northerly direction to a point at or near Windigo lake, thence in a northeasterly direction to a point on the line of the National Transcontinental in the province of Quebec at or near the Matagami river; also,

(b)

- (b) Extending from Latchford in a course following the Montreal river through the townships of Coleman, Barr, Lundy, Auld, Cane, Barber, Tudhope, James, Smyth, Willison, Truax and Davidson, and thence in a northerly direction, by the most direct line to a point on the line of the National Transcontinental; also,
- (c) Extending from Latchford in a southerly direction to a point at or near Temagami station; also,
- (d) Extending from a point in or near New Liskeard in the said district of Nipissing, now the district of Timiskaming, in a westerly direction through the townships of Dymond, Hudson, Lundy, and Auld to meet the line above described as (b); also,
- (e) Extending from a point at or near Windigo lake on the line above described as (a) in a westerly direction to the line of the Timiskaming and Northern Ontario Railway; also,
- (f) Extending from a point in or near New Liskeard in a northwesterly direction through the townships of Kearns, Armstrong, Evanturel, Beauchamp and Dack to Charlton; also,
- (g) A branch extending from a point in the township of Casey on the line above described as (a) to North Temiscamingue on the river des Quinze.

Repeal.

2. Section one of chapter sixty-three of the statutes of 1928 is hereby repealed.

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23-24 GEORGE V.

CHAP. 58.

An Act respecting The Quebec, Montreal and Southern Railway Company.

[Assented to 23rd May, 1933.]

WHEREAS The Quebec, Montreal and Southern Railway Company, hereinafter called "the Company", has by its petition represented that under the authority of chapter fifteen of the statutes of 1929, it has sold the whole of its undertaking, railway and appurtenances, and prays that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The Company is hereby authorized to wind up its affairs by distributing, after payment in full of its debts to its creditors, its assets or the proceeds thereof among its stockholders *pro rata* to their respective holdings.

Distribution of assets authorized.

2. Upon the completion of the said payment and distribution, which shall be made within ninety days after the passing of this Act, the Company shall file with the Secretary of State proof under oath to his satisfaction that such payment has been made and distribution has taken place, and the powers of the Company under chapter one hundred and fifty of the statutes of 1906, shall thereupon cease and be null and void.

Powers under c. 150, 1906, to be null and void.

23-24 GEORGE V.

CHAP. 59.

An Act to incorporate The Sarnia-Port Huron Vehicular Tunnel Company.

[Assented to 23rd May, 1933.]

WHEREAS a petition has been presented praying for the incorporation of a company to lay out, construct, complete, maintain, work, manage, and use subways or tunnels under the St. Clair River for vehicular, pedestrian or other purposes with the necessary approaches from convenient points on the Canadian side of the International Boundary between the United States of America and the Dominion of Canada in or near the city of Sarnia, the township of Sarnia and the township of Moore, to points in or near the city of Port Huron and the city of Marysville, in the State of Michigan, one of the United States of America, as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. John Doherty, service station proprietor, John Alexander Dalziel, operator, Hugh Arthur Mustard, dental surgeon, John Thomas Kennedy, merchant, all of the city of Sarnia, in the county of Lambton, and Charles Alexander White, manager, of the city of Sarnia, in the county of Lambton, in the province of Ontario, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Sarnia-Port Huron Vehicular Tunnel Company," hereinafter called "the Company,"

Incorporation.
Corporate name.

2. The works and undertakings of the Company are declared to be for the general advantage of Canada.

Declaratory.

3. The said John Doherty, service station proprietor, John Alexander Dalziel, operator, Hugh Arthur Mustard, dental surgeon, John Thomas Kennedy, merchant, and

Provisional directors.

Charles Alexander White, manager, named in section one of this Act, are constituted the provisional directors of the Company.

Number
of directors.

4. The number of directors shall not be less than three nor more than seven.

Head office.

5. The head office of the Company shall be at the city of Sarnia in the county of Lambton, in the province of Ontario.

Capital
stock.

6. (1) The capital stock of the Company shall consist of fifty thousand shares having a par value of ten dollars each.

Deposit
before
commencing
operations,
etc.

(2) The Company shall not commence its operations or incur any liability before a sum of at least one hundred thousand dollars has been paid into the treasury of the Dominion of Canada, which sum shall not be withdrawn until the proposed subway or tunnel together with its approaches, buildings, and all other assets used in connection therewith (hereinafter in this Act referred to as the said subway or tunnel) is constructed and such sum shall be forfeited if the project is not completed.

Bonding
powers.

7. The Company may issue bonds, debentures or other securities to an amount not exceeding five million dollars in aid of the construction of the said subway or tunnel authorized by this Act; and such bonds, debentures or other securities shall be secured by deed of mortgage; and such deed of mortgage shall contain provisions that all tolls and revenues derived from the use of said subway or tunnel by other corporations or persons, subject to the necessary operating costs, shall be specially charged and pledged as security for the payment of interest on such security.

Issue of
securities.

8. No securities whether shares of stock, bonds, debentures or other securities shall be issued by the Company unless and until the Governor in Council has been satisfied that the Company has, in respect of such securities, complied with "*The Security Fraud Prevention Act, 1930*" of the province of Ontario and amendments thereto.

Amalga-
mation
with other
companies.

9. The Company may, subject to the provisions of sections 151 to 153 inclusive, of the *Railway Act*, enter into an agreement with any other company incorporated by the laws of Canada or the laws of the State of Michigan, one of the United States of America, for the purpose of completing its undertaking of uniting and amalgamating its stock, property and franchise with the stock, property and franchises of any such company.

R.S., c. 170.

10. Upon the agreement for amalgamation coming into effect as provided in the last preceding section, all and singular the property, real, personal and mixed, and all rights and interest appurtenant thereto, all stock subscriptions and other debts due on whatever account, and other things in action belonging to such companies or either of them, shall be taken and deemed to be transferred to and vested in such new company, without further act or deed: Provided, however, that all rights of creditors and all liens upon the property of either of such companies shall be unimpaired by such amalgamation, and all debts, liabilities and duties of either of the said companies shall thenceforth attach to the new company and may be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or contracted by it: Provided, also, that no action or proceedings, legal or equitable, by or against the said companies so amalgamated or either of them, shall abate or be affected by such amalgamation, but for all the purposes of such action or proceeding such company may be deemed still to exist, or the new company may be substituted in such action or proceeding in the place thereof.

Effect of
amalgama-
tion.

11. At all meetings of the shareholders of the amalgamated company hereinbefore provided for, each shareholder shall be entitled to cast one vote for each share of stock held by him, and to vote either in person or by proxy.

Right of
voting.

12. The Company may,—

Powers.

(a) lay out, construct, complete, maintain, work, manage and use the said subway or tunnel under the St. Clair River, for vehicular, pedestrian, railway and other purposes, with the necessary approaches from convenient points on the Canadian side of the International Boundary between the United States of America and the Dominion of Canada in or near the city of Sarnia, the township of Sarnia and the Township of Moore, to points in or near the city of Port Huron, and the city of Marysville, in the state of Michigan, one of the United States of America.

Subway
or tunnel.

(b) construct, maintain and operate elevators, lifts, escalators and other means of ingress to and egress from the said subway or tunnel;

Elevators,
etc.

(c) for the purposes of its business, manufacture, produce, generate or buy electricity for light, heat and motive power and to produce compressed air;

Electrical
and other
power.

(d) take, or otherwise acquire and hold shares in any other company having objects altogether or in part similar to those of the Company or carrying on any business capable of being conducted so as directly or indirectly to benefit the company;

Acquisition
of shares
in other
companies.

Arrangements with municipal and other authorities.

(e) enter into any arrangements with any authorities, municipal, local or otherwise, that may seem conducive to the Company's objects, or any of them, and obtain from any such authority any rights, privileges and concessions which the Company may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;

Acquisition of personal property, rights, etc.

(f) purchase, take on lease or in exchange, hire or otherwise acquire any personal property and any rights or privileges which the Company may think necessary or convenient for the purposes of its business and in particular any machinery, plant and stock-in-trade;

Incidental powers.

(g) do all such other things as are incidental or conducive to the attainment of the above objects;

Acquisition of rights.

(h) apply for, secure, acquire by assignment, transfer, purchase or otherwise, and exercise, carry out and enjoy, any charter, licence, power, authority, franchise, concession, rights or privileges, which any government or authority or any corporation or other public body may be empowered to grant, and pay for, aid in and contribute towards carrying the same into effect, and appropriate any of the Company's shares, bonds and assets to defray the necessary costs, charges and expenses thereof;

Assistance to other companies.

(i) raise and assist in raising money for, and aid by way of bonus, loan, promise, endorsement, guarantee of bonds, debentures or other securities or otherwise, any other company or corporation, and guarantee the performance of contracts by any such company or corporation, or by any other person or persons with whom the Company may have business relations.

Application of R.S. 1927, cc. 54, 55, 140, 170, and of R.S., 1906, c. 37, s. 247.

13. The powers granted under the next preceding section hereof shall be subject to the provisions of the *Electricity and Fluid Exportation Act*, chapter fifty-four of the Revised Statutes of Canada, 1927, the *Electricity Inspection Act*, chapter fifty-five of the Revised Statutes of Canada, 1927, the *Navigable Waters Protection Act*, chapter one hundred and forty of the Revised Statutes of Canada, 1927, the *Railway Act*, chapter one hundred and seventy of the Revised Statutes of Canada, 1927, and section two hundred and forty-seven of the *Railway Act*, chapter thirty-seven of the Revised Statutes of Canada, 1906.

Approval of plans by Governor in Council.

14. The Company shall not commence the construction of the said subway or tunnel or any work thereunto appertaining, until it has submitted to the Governor in Council plans of said subway or tunnel, and all the intended works

thereunto appertaining, nor until such plans and the site of said subway or tunnel have been approved by the Governor in Council, nor until such conditions as he thinks fit for the public good to impose, touching the said subway or tunnel and works, have been complied with; nor shall any such plans be altered, or any deviation therefrom be allowed except with the permission of the Governor in Council, and upon such conditions as he imposes.

15. The Company may,—

- (a) expropriate and take any lands actually required for the construction, maintenance and operation of the said subway or tunnel authorized by this Act, or expropriate and take an easement in, over, under or through such lands without the necessity of acquiring a title in fee simple thereto, after the plan of such lands, has been approved by the Governor in Council; and all the provisions of the *Railway Act*, applicable to such taking and acquisition, shall apply as if they were included in this Act; and all the provisions of the *Railway Act* which are applicable, shall in like manner apply to the ascertainment and the payment of the compensation for or damages to land arising out of such taking and acquisition, or the construction or maintenance of the works of the Company; Expropriation.
- (b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner or party interested therein any or portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes. And if the Company by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrators appointed pursuant to the provisions of the *Railway Act*, in view of such specified decision or undertaking, and the arbitrators or arbitrator shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners for Canada; Reduction of damages.
R.S., c. 170.
- (c) enter into and upon any lands, buildings or structures proximate to the said subway or tunnel, for the purpose of ascertaining the state of repair thereof, and the devising the best means of avoiding any possible damage which the execution of the authorized works Entry on property.

R.S., c. 170.

might occasion thereto, and make upon or in connection therewith any works, repairs, or renewals, for the purpose of preventing or mitigating any such damage, and the Company shall make compensation in the manner specified in the *Railway Act*, to all persons interested for the damage sustained by them, if any, by reason of the exercise of the powers in this clause contained; and section two hundred and thirty-nine of the *Railway Act*, shall apply to the exercise of the powers in this clause granted so far as is necessary to enable the Company to carry them into effect.

Approval by
United
States.

16. The Company shall not commence the actual construction of the said subway or tunnel until it has been duly authorized by the Congress of the United States of America or other competent authority in the United States of America to construct that part of the subway or tunnel which lies within the territory of the United States, but the Company may in the meantime acquire land otherwise than by expropriation, submitting its plans to the Governor in Council and do all other things authorized by this Act.

Consent of
municipali-
ties.

17. The Company shall not construct or operate any of the works mentioned in this Act along, under and over any highway, street or other public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Tolls and
rates

1920, c. 54.

18. The directors may, subject to the provisions of section 41A of the *Railway Act* and to the approval of the Board of Railway Commissioners for Canada, from time to time fix and regulate the tolls and rates to be charged for the use of the said subway or tunnel.

Time for
commence-
ment and
completion
of subways.

19. The construction of the said subway or tunnel shall be commenced within one year after the Governor in Council and the Executive of the United States, or other competent authority therein, have approved of the plans thereof, and shall be completed within three years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within two years after the passing of this Act, the powers granted for the construction of the said subway or tunnel shall cease and be null and void. Section one hundred and sixty-one of the *Railway Act* shall not apply to the Company.

R.S., c. 170.

20. (1) Immediately after the said subway or tunnel has been in operation for a period of two years, a board of arbitration shall determine the cost of that part of the said subway or tunnel situate in the Dominion of Canada. Such determination shall be filed with the department of the Secretary of State. The board shall consist of three members: one to be nominated by the municipality or municipalities within the Dominion of Canada in which the said subway or tunnel is located, the second by the company and the third by the Governor in Council. The municipality or municipalities within which the said subway or tunnel is located shall be entitled to acquire that portion of the same which is situate within the Dominion of Canada at any time after the expiration of the two year period of operation hereinbefore referred to at the cost hereinbefore mentioned, less such allowance for depreciation as a board of arbitration constituted as aforesaid shall then determine: Provided, however, that when the said subway or tunnel has been in operation for a period of forty years, the municipality or municipalities within which the said subway or tunnel is located shall be entitled to acquire that portion of the same which is situated within the Dominion of Canada without payment of any consideration therefor.

Municipalities may purchase tunnel.

(2) The company shall not commence construction until the Governor in Council has been satisfied that the competent authority in the United States has made provision similar to that contained in subsection one of this section, for the acquisition of the American section of the subway or tunnel by the municipalities within which the same is situate.

Commencement of construction.

21. The *Railway Act*, shall, so far as is not inconsistent with the special provisions of this Act, unless the context otherwise requires, apply to the Company and to its works and undertakings and wherever in the *Railway Act* the word "railway" occurs, it shall, for the purposes of the Company, mean the subway or tunnel authorized by this Act.

R.S., c. 170, to apply to the Company.

22. The *Companies Act* shall, so far as it is not inconsistent with the special provisions of this Act, or of the *Railway Act*, apply to the Company.

R.S., c. 27, to apply.

23. The employment of labour in the construction, maintenance and supervision of that portion of the said subway or tunnel so far as the same is situate within the Dominion of Canada, shall for the purpose of this Act, be deemed to be subject to the terms and conditions of *The Fair Wages and Eight Hour Day Act, 1930*, and amendments thereto. And so far as the said subway or tunnel is situate

Labour and materials. 1930, c. 20.

within the Dominion of Canada, so far as it may be practicable to do so, Canadian labour and materials shall be used in the construction of the said subway or tunnel, and a certified statement shall be sent weekly to the Department of Labour giving the names and addresses of firms supplying materials, specifying the same and the quantities thereof.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 60.

An Act to confirm an agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and the Northern Pacific Railway Company.

[Assented to 23rd May, 1933.]

WHEREAS the Vancouver, Victoria and Eastern Railway and Navigation Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company, dated the first day of November, A.D. 1932, a copy of which forms Schedule "A" to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto in all respects whatsoever as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act, and the parties to the said agreement and each of them are hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement: Provided, however, that no abandonment of the portion of the line of railroad referred to in the said agreement shall be made without the approval of the Board of Railway Commissioners for Canada. Agreement ratified and confirmed.

2. Nothing in this Act contained shall be deemed in any way to impair the powers of the Board of Railway Commissioners for Canada, and all the provisions of the *Railway Act* now applying to the said Companies and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same. Powers of Board of Railway Commissioners not affected.
R.S., c. 170 to continue to apply.

SCHEDULE A.

SCHEDULE A.

THIS AGREEMENT, made this first day of November, 1932, between the Vancouver, Victoria and Eastern Railway and Navigation Company, a corporation organized under the laws of the Dominion of Canada, hereinafter called the "Vancouver Company", and the Northern Pacific Railway Company, a corporation organized under the laws of the State of Wisconsin, hereinafter called the "Pacific Company",

WITNESSETH:

THAT WHEREAS, the parties hereto entered into a written agreement dated August 11, 1913, whereby the Vancouver Company granted to the Pacific Company the joint use of its railroad between the International Boundary line at Sumas, Washington, and Vancouver, British Columbia, which said agreement was ratified and confirmed by an Act of the Parliament of Canada entitled "An Act to confirm an agreement made between the Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company", assented to May 24, 1918 (8-9 Geo. V, Chapter 59), and which said agreement was amended by the parties by written agreements dated January 13, 1914, May 28, 1914, June 24, 1916, and October 15, 1917; and

WHEREAS, the parties desire to bring about the abandonment of the portion of said railroad which is shown in red on the blue print hereto attached marked Exhibit "A" ⁽¹⁾ and hereby referred to and made a part of this agreement, and which extends from a point of connection with the tracks of the Pacific Company at the International Boundary line at Sumas, Washington, to the junction near Colebrook, British Columbia, with the Vancouver Company's line of railroad extending from Vancouver, British Columbia, to the International Boundary line at Blaine, Washington; and the Pacific Company desires to acquire the joint use of the portion of the Vancouver Company's line of railroad shown in green on said Exhibit "A" and which extends from the International Boundary line at Blaine, Washington, to the junction near Colebrook with the said line of railroad shown in red on Exhibit "A";

NOW, THEREFORE, in consideration of the premises and of the mutual dependent promises hereinafter contained, the parties hereto agree as follows:

(1) The Vancouver Company may immediately discontinue the maintenance of that portion of the line of railroad and its appurtenances described in said agreement of August 11, 1913, which is shown in red on said Exhibit

⁽¹⁾ Submitted to the Private Bills Committee

"A", and may, and when in its judgment conditions are favourable it will, abandon and dismantle the same.

(2) The Pacific Company shall make no claim for a reduction in the rental specified in said contract of August 11, 1913, as amended, or in the agreed valuation of the property upon which said rental is based, because of the discontinuance of maintenance and the abandonment of said portion of railroad shown in red on said Exhibit "A".

(3) The average monthly saving to the Vancouver Company by reason of the discontinuance of the maintenance of said railroad shown in red on said Exhibit "A" is agreed to be twenty-two hundred dollars (\$2,200.00), and effective October 1, 1931, the Pacific Company shall be credited monthly with eleven hundred dollars (\$1,100.00), being one-half of the amount of said agreed monthly saving.

(4) Upon the abandonment and dismantling of said railroad as provided for in paragraph (1) hereof, the Vancouver Company will remove all materials therefrom which shall have a value in excess of the cost of removal and shall endeavour to sell any of the right of way or station grounds appurtenant to said railroad, to which the Vancouver Company shall have marketable title, at its fair market value. The Vancouver Company shall thereafter credit the Pacific Company monthly with one-twelfth ($1/12$) of three per cent (3%) upon the net salvage value of the material so removed, and after any sale or sales of such right of way or station grounds, it shall credit the Pacific Company monthly with one-twelfth ($1/12$) of three per cent (3%) upon the selling price thereof. The Vancouver Company will further credit the Pacific Company monthly with one-half ($\frac{1}{2}$) of one-twelfth ($1/12$) of the aggregate annual saving in taxes by the Vancouver Company as a result of the removal and dismantling of said railroad, which said aggregate annual saving in taxes for each year shall be, for the purpose of this agreement, the difference between the sum of five thousand five hundred and six no/100 dollars (\$5,506.00) (being the amount of taxes paid by the Vancouver Company on the section of said railroad between Sumas and Colebrook for the calendar year 1931) and the amount of taxes paid on unsold right of way, station grounds and other property appurtenant to said railroad for the year for which the saving is computed; provided, however, no credit for such saving in taxes shall commence until the date upon which said taxes would have been paid if such saving had not been effected. The Vancouver Company will further credit the Pacific Company monthly with one-half ($\frac{1}{2}$) of one-twelfth ($1/12$) of all rentals collected by the Vancouver Company under leases of said right of way and station grounds for the period commencing October 1, 1931, up to the time of the sale thereof as above provided.

(5) In the event that the Pacific Company shall hereafter at any time while this agreement is in force desire to commence operations under the said contract of August 11, 1913, over any part of the railroad of the Vancouver Company between Vancouver and Colebrook it shall, upon thirty (30) days' notice in writing given to the Vancouver Company, and subject to the conditions hereinafter set forth, be given access to such railroad over the Vancouver Company's line of railroad shown in green on said Exhibit "A". To that end the Vancouver Company hereby grants to the Pacific Company the joint and equal possession and use of said line of railroad shown in green on said Exhibit "A", subject to the conditions hereinafter set forth. The rights, privileges, duties and obligations of each party with respect to the said line of railroad shown in green on said Exhibit "A" shall be the same from and after the date specified in the said notice as they would have been if the said line of railroad shown in green on said Exhibit "A" had been described in said contract of August 11, 1913, as heretofore amended, in place of the line of railroad the abandonment of which is herein provided for. It is the intention of the parties that the amount of rental which the Pacific Company is now required to pay the Vancouver Company under the terms of said agreement of August 11, 1913, as heretofore amended, for the joint use of the Vancouver Company's line of railroad extending from Vancouver to the International Boundary line at Sumas, shall not be changed because of the substitution of the Vancouver Company's line of railroad shown in green for its line of railroad shown in red on said Exhibit "A".

The foregoing provisions of this paragraph (5) are subject, however, to the following exceptions, terms and conditions:

- (a) The Pacific Company shall not have the right to deliver or receive any passengers, freight, express, mail matter or other traffic, or to construct industry spurs, or other improvements, or to make track connections, at any point on the said line of railroad shown in green on said Exhibit "A".
- (b) Upon and after the date mentioned in said notice referred to in paragraph (5) hereof the credits to the Pacific Company provided for in paragraphs (3) and (4) of this agreement shall cease. Upon the construction of any improvements, additions or betterments thereafter made to or upon the said line of railroad shown in green on said Exhibit "A", the rental payable under said contract of August 11, 1913, as heretofore amended, shall be increased in the manner and to the extent provided for in Section 1 of Article II of said contract as heretofore amended, for improve-

ments, additions or betterments upon the lines therein described; provided, however, that such rentals shall not be increased because of any expenditures for improvements, additions or betterments from the use of which the Pacific Company is excluded under the terms of this contract, such as spur tracks at intermediate points, or other improvements constructed purely for the handling of local business, from which the Pacific Company is excluded.

The Pacific Company shall not be required to pay any added rental or contribute to any maintenance or operating costs by reason of the construction, maintenance and operation of more than two main tracks on the said line of railroad shown in green on said Exhibit "A".

(c) In applying the provisions of Section 2 of Article II of said contract of August 11, 1913, as heretofore amended, to the said line of railroad shown in green on said Exhibit "A", amounts expended for insurance and taxes upon said line shall be included in maintenance cost, but costs incurred in the maintenance of facilities from the use of which the Pacific Company is excluded under the terms of this contract, including amounts expended for insurance and taxes thereon, shall not be included. The Pacific Company shall not be charged with any part of the maintenance of station buildings on the line of railroad shown in green on Exhibit "A" (but not including Colebrook) except a fair proportion based on the fact that it uses only the telegraph offices in said buildings, and shall not be charged with any part of the cost of station labour or supplies between said points except a proper proportion of the wages of such persons as are employed or used as telegraph operators and a like proportion of the cost of telegraph office supplies.

(6) Said contract of August 11, 1913, as heretofore amended, shall, continue in full force and effect in accordance with the terms and provisions thereof except as the same is modified or affected by this agreement.

(7) This contract shall take effect as of October 1, 1931; provided, however, that if the Vancouver Company shall be prevented by competent public authority from abandoning said track shown in red on Exhibit "A", or if it shall be compelled by competent public authority to restore or continue the said track, this agreement shall thereupon terminate and the parties shall thereafter be governed by the said contract of August 11, 1913, with such modifications as have heretofore been made therein.

The Vancouver Company shall co-operate with the Pacific Company in obtaining all governmental approval or permission which may be necessary to make this agreement effective and to make the provisions thereof operative.

(8) The covenants and agreements herein contained shall bind the parties hereto, their successors, assigns and lessees and shall inure in favour of the successors, assigns and lessees of the parties for whose benefit made.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as of the day and year first above written.

In the presence of:

VANCOUVER, VICTORIA AND EASTERN
RAILWAY AND NAVIGATION COMPANY,

| | | |
|----------------|-----------------------------|---------------|
| C. H. Trembly. | By H. H. Brown, | { Corporate } |
| | <i>Vice-President.</i> | |
| C. F. Ziegahn. | Attest: F. L. Paetzold, | { Seal } |
| | <i>Assistant Secretary.</i> | |

NORTHERN PACIFIC RAILWAY COMPANY,

| | | |
|--------------------|-----------------------------|---------------|
| E. V. Johnson. | By Charles Donnelly, | { Corporate } |
| | <i>President.</i> | |
| G. T. C. Peterson. | Attest: A. M. Gottschald, | { Seal } |
| | <i>Assistant Secretary.</i> | |

OTTAWA: Printed by JOSEPH OSCAR PATENAUDE, Acting Law Printer to the
King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 61.

An Act respecting a certain patent application of Fred Charles Fantz.

[Assented to 12th April, 1933.]

WHEREAS Fred Charles Fantz, a resident of Webster Preamble.
Groves, St. Louis County, State of Missouri, one of
the United States of America, has by his petition set forth
that on the twenty-ninth day of April, 1929, pursuant to
the provisions of the *Patent Act*, he made application for R.S., c. 150.
patent for certain new and useful improvements in and
relating to Return Bends, invented by him, which said
application was filed under serial No. 349,958 and allowed
by the Commissioner of Patents on the seventeenth day
of December, 1929; and whereas the said application
became forfeited through the inadvertent failure of the
agents for the said Fred Charles Fantz to pay the fees
payable upon grant of the patent pursuant to the terms
of subsections one and three of section forty-three of the
Patent Act; and whereas the said Fred Charles Fantz has
by his petition prayed that it may be enacted as herein-
after set forth, and it is expedient to grant the prayer of
the said petition: Therefore His Majesty, by and with the
advice and consent of the Senate and the House of Com-
mons of Canada, enacts as follows:—

1. The Commissioner of Patents, within three months
from the date of passing of this Act, may restore or refuse
to restore the said forfeited application of Fred Charles
Fantz, and grant or refuse to grant a patent upon the
said application upon payment of the fees payable as
aforesaid and otherwise complying with the provisions of
the said Act. Power to
restore
forfeited
application
and grant
patent.

2. In the event of the Commissioner making an order
restoring the application designated in the preamble, if Rights
saved.
between the date on which such application became for-
feited and the fourth day of February, 1933, any person,

corporation or company has commenced lawfully to construct, manufacture, use or sell the invention described in the said application, such person, corporation or company may continue to construct, manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 62.

An Act respecting a certain patent of Genter Thickener Company.

[Assented to 23rd May, 1933.]

WHEREAS Genter Thickener Company, a corporation Preamble.
organized and existing under the laws of the State of Delaware, one of the United States of America, hereinafter called "the petitioner," has by its petition represented that Letters Patent Number 209,565 for new and useful improvements in apparatus for thickening mixtures was granted on the fifteenth day of March, 1921, under the provisions of the *Patent Act*, chapter sixty-nine of the Revised Statutes of Canada, 1906, to the inventor Albert Legrand Genter and The General Engineering Company of Salt Lake City, Utah, assignee of a half interest therein; that the said patent was so issued subject to the payment of renewal fees at the end of six years from the date of issue and was assigned by the said Albert Legrand Genter and The General Engineering Company to the petitioner by assignment dated the first day of April, 1926, recorded in the Patent Office under Number 131,225; that the solicitors for the petitioner, the owner of the said patent, did not notify the petitioner as to the date upon which the said renewal fees became due on the said patent, and that by reason of the non-payment of the said renewal fees the said patent expired at the end of the fifteenth day of March, 1927; and whereas by its petition the petitioner has prayed that it may be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—R.S., 1906,
c. 69.

1. If the said Genter Thickener Company, or its assignee or other legal representative makes, within three months after the date of the passing of this Act, an application to the Commissioner of Patents for an order restoring and reviving the patent mentioned in the preamble to this Act Extension of
time for
application
to revive
patent.
25 notwithstanding

R.S., c. 150.

notwithstanding failure to pay renewal fees as aforesaid, the provisions of section forty-seven of the *Patent Act*, chapter one hundred and fifty of the Revised Statutes, 1927, except the two years' limitation of time for such application contained in that section, shall apply to such patent and, complying with those provisions, the Commissioner of Patents may make either an order restoring and reviving such patent or an order dismissing the application.

OTTAWA: Printed by JOSEPH OSCAR PATENAUDE, Acting Law Printer to the King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 63.

An Act to incorporate The Discount and Loan Corporation of Canada.

[Assented to 23rd May, 1933.]

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

1. Joseph Albéric Beaudry, physician; Lionel Percy Villeneuve, commercial traveller; Joseph Stanislas Beaudry, physician; Omer Langlois, journalist; Jean Eugène Laurin, financier, all of the city of Montreal in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of “The Discount and Loan Corporation of Canada,” hereinafter called “the Company”. Incorporation.
Corporate name.

2. The persons named in section one of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each. Capital stock.
Shares.

4. The head office of the Company shall be in the city of Montreal in the province of Quebec. Head office.

5. (1) The Company may throughout Canada:— Powers.
(a) buy, sell, deal in and lend money on the security of conditional sales agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of lading, warehouse receipts, bills of exchange and choses-in-action; and may receive and accept from the makers, vendors or transferors thereof guarantees or other

security for the performance and payment thereof and may enforce such guarantees and realize on such security;

R.S., c. 102;
R.S., c. 135;
R.S. c. 28.

(b) notwithstanding anything contained in the *Interest Act*, or in the *Money Lenders Act*, or in paragraph (c) of section sixty-three of the *Loan Companies Act*,—

Loans.

(i) lend money secured by assignment of choses-in-action, chattel mortgages or such other evidence of indebtedness as the Company may require, and may charge interest thereon at a rate of not more than seven per centum per annum, and may on all loans deduct the interest in advance and provide for repayments: Provided that the borrower shall have the right to repay the loan at any time before the due date, and, on such repayment being made, to receive a refund of such portion of the interest paid in advance as has not been earned, except a sum equal to the interest for three months;

Rate of interest.

Proviso.

Right to repay.

Refund.

Charges for expenses.

(ii) charge, in addition to interest as aforesaid, for all expenses which have been necessarily and in good faith incurred by the Company in making or renewing a loan authorized by the next preceding sub-paragraph (i), including all expenses for inquiry and investigation into the character and circumstances of the borrower, his endorsers, co-makers or sureties, for taxes, correspondence and professional advice, and for all necessary documents and papers, two per centum upon the principal sum loaned;

Addition charge.

(iii) notwithstanding anything in the next two preceding sub-paragraphs (i) and (ii) the Company shall, when a loan authorized by the said sub-paragraph (i) has been made or renewed on the security of a chattel mortgage, or of subrogation of taxes, be entitled to charge an additional sum equal to the legal and other actual expenses disbursed by the Company in connection with such loan, but not exceeding the sum of ten dollars;

but no charge for expenses of any kind shall be made or collected unless the loan has been actually made, nor on a renewal unless such a loan has been renewed after one year from the making thereof or after one year from the last renewal thereof;

Loans on real estate.

(c) lend money on the security of real estate or leaseholds, or purchase or invest in mortgages or hypothecs upon freehold or leasehold real estate and for subrogation of taxes;

As principals or agents.

(d) do all or any of the above mentioned things, and all things authorized by this Act, as principals, agents, contractors, trustees or otherwise and either alone or in conjunction with others;

(e) if authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

Borrowing powers.

- (i) borrow money upon the credit of the Company;
- (ii) limit or increase the amount to be borrowed;
- (iii) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure the payment of any money borrowed for the purposes of the Company.

(2) Nothing in this section contained shall limit or restrict the power of the Company to borrow money on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

(3) Nothing in this Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits.

(4) Any officer or director of the Company who does, causes or permits to be done, anything contrary to the provisions of this section shall be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable; and any such penalty shall be recoverable and disposed of in the manner prescribed by section ninety-eight of the *Loan Companies Act*.

Penalty.

Recovery and deposit.
R.S., c. 28.

6. Except as otherwise provided in this Act, the *Loan Companies Act*, chapter twenty-eight of the *Revised Statutes of Canada, 1927*, excepting therefrom paragraph (f) of subsection one of section sixty-one, paragraph (c) of subsection two of section sixty-one, subsection three of section sixty-two, sections sixty-four, sixty-five, sixty-six, sixty-seven, eighty-two and eighty-eight, shall apply to the Company.

Application of *Loan Companies Act*.

7. If any person with whom the Company is transacting any business authorized by the Acts relating to the Company lawfully constitutes the Company his agent or attorney, in that transaction and on account of that person, for any or all of the purposes following, namely:—

Company may act as agent, etc.

- (a) to sell or buy stocks, bonds or other securities; or
 - (b) to collect rents from real estate, payments whether of principal or interest on mortgages or real estate; or
 - (c) generally, to manage real estate;
- the Company may act as such agent or attorney.

23-24 GEORGE V.

CHAP. 64.

An Act respecting The Saint Nicholas Mutual Benefit Association and to change its name to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada."

[Assented to 30th March, 1933.]

WHEREAS John Zarowski, Printer, Michael Hawryluk, Merchant, John Zawidowski, Funeral Director, Theodore Stefanik, Notary Public, Karol Protasiewicz, Tool-maker, Nicholas Hladki, Painter, Dymtro Yuskewich, Storeman, and Harry Kapitanchuk, Machinist, all of the City of Winnipeg, in the Province of Manitoba, have by their petition prayed that an Act be passed reviving chapter seventy-one of the statutes of 1930, intituled "An Act to incorporate the Saint Nicholas Mutual Benefit Association"; extending the time within which the Minister of Finance may grant a certificate of registry; and changing the name of the aforementioned Association to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada", and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
R.S., c. 101:
1930, c. 71;
1932, c. 46.

1. Notwithstanding anything in the repealed *Insurance Act*, chapter one hundred and one of the Revised Statutes of Canada, 1927, or in *The Canadian and British Insurance Companies Act, 1932*, chapter forty-six of the statutes of 1932, or in the Act incorporating The Saint Nicholas Mutual Benefit Association, hereinafter called "the Society", chapter seventy-one of the statutes of 1930, the said chapter seventy-one of the statutes of 1930 shall be deemed not to have expired and ceased to be in force after the twenty-ninth day of May, 1932, but to have continued and to be in force for all purposes thereof whatsoever until the thirtieth day of May, 1934, and at any time not later than the twenty-ninth day of May, 1934, notwithstanding the provisions of subsection two of section four of *The Canadian and British Insurance Companies Act, 1932*, the Minister of Finance may grant to the said Society a certificate of registry to carry on business.

Act of incorporation deemed not to have expired.

Charter
expires
unless
certificate
obtained.

Time limit.

2. If the Society has not obtained the said certificate of registry before the thirtieth day of May, 1934, the said chapter seventy-one of the statutes of 1930 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Society's business.

3. Section one of the said chapter seventy-one is repealed and the following is substituted therefor:—

Incorporation.

"1. John Zarowski, printer, Michael Hawryluk, merchant, John Zawidowski, funeral director, Theodore Stefaniuk, notary public, Karol Protasiewicz, toolmaker, Nicholas Hladki, painter, Dmytro Yuskewich, storeman and Harry Kapitanchuk, machinist, all of the city of Winnipeg, in the province of Manitoba, together with such other persons as become members of the Society hereby incorporated are incorporated under the name of 'Ukrainian Mutual Benefit Association of Saint Nicholas of Canada.'"

Name
changed.

4. The name of the Society is changed to "Ukrainian Mutual Benefit Association of Saint Nicholas of Canada," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Society, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Society, which notwithstanding such change in the name of the Society, may be prosecuted, continued, completed, and enforced as if this Act had not been passed.

OTTAWA. Printed by JOSEPH OSCAR PATENAUDE, Acting Law Printer to the King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 65.

An Act respecting The Canadian Anthracite Coal Company, Limited.

[Assented to 9th May, 1933.]

WHEREAS The Canadian Anthracite Coal Company, Preamble.
Limited, hereinafter called "the Company," has by
its petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. It is hereby declared that the Company from and Agreement
ratified
and
confirmed.
after the 5th day of February, A.D. 1897, had, and has,
full power and authority to accept the transfers and assign-
ments to it of the two thousand nine hundred and forty-
four (2,944) shares of its capital stock referred to in the
agreement dated the 5th day of February, A.D. 1897,
and made between Louis S. Tainter and others, of the
first part, the said Louis S. Tainter and others, of the
second part, one McLeod Stewart of the third part, The
Quebec Bank and others of the fourth part, and the Com-
pany of the fifth part, a copy of which is set out in the
schedule to this Act, and that by virtue of the said transfers
and assignments the said two thousand nine hundred and
forty-four (2,944) shares of its capital stock thereupon
became revested in the Company as unissued shares without
affecting a reduction of the capital of the Company.

SCHEDULE.

THIS INDENTURE made the fifth day of February, A.D. 1897.

BETWEEN Louis S. Tainter, of Menomonie, Wisconsin, Lumber Merchant; F. Weyerhaeuser, of St. Paul, Minnesota, Lumber Merchant; F. B. CLARK, of St. Paul aforesaid, Manager; O. H. Ingram of Eau Claire, Wisconsin, Lumber Merchant; W. A. Rust, of Eau Claire aforesaid, Banker; J. G. Thorp of Cambridge, Massachusetts, Counsellor-at-Law; Sarah C. Bull of Cambridge aforesaid, Widow; C. H. Carriere of the City of Ottawa, Canada, assignee for the benefit of the creditors of one McLeod Stewart of the City of Ottawa, Barrister-at-Law; Archibald Stewart of the said City of Ottawa, Contractor; Henry Vavasour Noel of the said City of Ottawa, Banker; William King Coffin of Eau Claire aforesaid, Banker; Levi Crannel of the said City of Ottawa, Accountant; F.C.A. Denkman of Rock Island, Illinois, Lumber Merchant; D. B. McTavish of the said City of Ottawa, Barrister-at-Law, (being all the shareholders of The Canadian Anthracite Coal Company Limited and hereinafter called "The Shareholders")

OF THE FIRST PART

AND the said Louis S. Tainter; said F. Weyerhaeuser; said F. B. Clark; said O. H. Ingram; said W. A. Rust; said J. G. Thorp and Edmund M. Parker of Cambridge aforesaid, Counsellor-at-Law; and Annie L. Thorp of Cambridge aforesaid, wife of the said J. G. Thorp; said Sarah C. Bull; said C. H. Carriere (assignee as aforesaid); said Archibald Stewart and said William King Coffin (being the holders of all the outstanding First Mortgage Bonds of The Company and all the persons now interested in the Pool Agreement of the 19th May A.D., 1891, and hereinafter called "The Bondholders")

OF THE SECOND PART

AND the said McLeod Stewart (made a party for the purpose of consenting hereto)

OF THE THIRD PART

AND The Quebec Bank, the said Archibald Stewart; and Maria Griffin of the said City of Ottawa, widow; and Catherine Stewart of the said City of Ottawa, widow, (being the creditors of the said McLeod Stewart entitled under the assignment to said C. H. Carriere as Assignee as aforesaid) the said Archibald Stewart and Catherine

Stewart (endorsers of certain negotiable paper of the said McLeod Stewart held by the Quebec Bank), all made parties hereto and executing these presents for the purpose of consenting to the same, and also of authorizing the said C. H. Carriere as such Assignee to agree to and execute the same,

OF THE FOURTH PART

AND the said "The Canadian Anthracite Coal Company Limited", a corporation incorporated under the Laws of Canada, hereinafter called "The Company",

OF THE FIFTH PART:

WHEREAS under and by virtue of the Companies Act (Canada), "The Company" was duly incorporated by Letters Patent under the Great Seal of Canada bearing date the 28th October A.D. 1886, with an authorised Capital Stock of \$500,000.00 divided into 5,000 shares of \$100.00 each. And whereas by Supplementary Letters Patent issued under the authority of The Companies Act aforesaid and bearing date the 7th August A.D. 1890, the authorized Capital Stock was increased by \$500,000.00 divided into 5,000 shares of \$100.00 each.

AND WHEREAS the present authorized Capital Stock of the Company under the Letters Patent and Supplementary Letters Patent aforesaid is \$1,000,000.00 divided into 10,000 shares of \$100.00 each all of which said shares have been heretofore duly issued and fully paid up.

AND WHEREAS the Schedule hereunto annexed marked "A" shews the names of all the present shareholders of The Company and also set opposite to their respective names, the number of shares of the Company held by them respectively.

AND WHEREAS the only existing issue of Bonds of The Company is an issue of \$600,000.00, of First Mortgage Coupon Bonds of The Company consisting of 1,200 Bonds of \$500.00 each, dated the 1st day of January A.D. 1891, and bearing interest at the rate of six per cent. per annum payable half-yearly, which said issue of Bonds was secured by a certain Mortgage Trust Deed dated the 15th of January 1891 and made between The Company of the First Part and George Hay of the City of Ottawa, Esquire, and the said William King Coffin (therein called The Trustees), of the second part. And whereas 1,008 of said Bonds (amounting in the aggregate to \$504,000.00) have been duly issued and are now outstanding, and the balance of said Bonds are still unissued and the property of The Company.

AND WHEREAS the schedule hereunto annexed marked "B" shews the names of all the present Bondholders of The Company and set opposite to their respective names the number and amount of the Bonds of The Company held by them respectively.

AND WHEREAS the said McLeod Stewart was a Shareholder in The Company, and becoming insolvent by an assignment dated the 7th day of November A.D. 1891 assigned to the said C. H. Carriere as Assignee all his estate real and personal for the general benefit of his creditors.

AND WHEREAS the parties of the Fourth Part or some of them have become and are owners of the debts and claims proved against the estate of said McLeod Stewart under the said assignment to the said C. H. Carriere and the said parties of the Fourth Part are made parties to these presents for the purpose of consenting hereto and being bound hereby, and further for the purpose of authorizing the said C. H. Carriere as such Assignee to agree to and execute the same.

AND WHEREAS it has been deemed desirable in the interests of The Company to enter into the scheme for the re-organization of the present holdings of Shares and First Mortgage Bonds of The Company embodied in these presents, the general affect of which will be to leave the outstanding only 7,056 shares of The Company amounting to \$705,600 in the aggregate (the remainder of said Capital Stock consisting of 2,944 shares amounting to \$294,400 being transferred to The Company so as to be available for re-issue at any time in the future), and to release and extinguish the said Mortgage Trust Deed of the 15th day of January, A.D. 1891, and to extinguish all the said 1,200 First Mortgage Bonds of The Company.

AND WHEREAS the said scheme of re-organization has been approved by the Shareholders, the Bondholders, and all the other parties hereto, as testified by their execution hereof.

NOW THEREFORE THIS INDENTURE WITNESSETH AS FOLLOWS:—

1. In pursuance of the premises and in order to carry out the said scheme of re-organization and re-arrangement of the Capital Stock of The Company, and for valuable consideration, the said William King Coffin hereby acknowledges that he has this day transferred to the following persons, by the usual forms of transfer, the number of fully paid up shares of The Company set opposite to their respective names, that is to say:—

To the said Louis S. Tainter, one hundred and eighty-three shares;

To the said F. Weyerhaeuser, eight shares;

To the said W. A. Rust, thirty-nine shares;

To the said J. G. Thorp, one hundred and forty-three shares;

To the said Annie L. Thorp, fourteen shares;

To the said Edmund M. Parker and Joseph G. Thorp, jointly, seven shares;

To the said Sarah C. Bull, three hundred and thirteen shares;

To the said J. G. Thorp (as Trustee re Archibald Stewart agreement) two hundred and fifty-two shares.

AND in pursuance of the premises and for valuable consideration the said F. C. A. Denkman acknowledges that he had this day transferred to the said F. Weyerhaeuser five hundred fully paid up shares of The Company.

AND in pursuance of the premises and for valuable consideration the said Archibald Stewart acknowledges that he has this day transferred to one R. C. Luther ten fully paid up shares of The Company.

II. AND in pursuance of the premises and for valuable consideration the said F. B. Clark hereby conveys, transfers and assigns to the Company two hundred and seventy-four fully paid up shares of The Company.

AND the said O. H. Ingram hereby conveys, transfers and assigns to the Company seventy-eight fully paid up shares of the Company.

AND the said C. H. Carriere hereby conveys, transfers and assigns to The Company seventeen hundred and seventy-five fully paid up shares of The Company.

AND the said Archibald Stewart hereby conveys, transfers and assigns to The Company three hundred and eleven fully paid up shares of The Company.

AND the said William King Coffin hereby conveys, transfers and assigns to The Company five hundred and six fully paid up shares of The Company.

AND each of them the said F. B. Clark, O. H. Ingram, C. H. Carriere, Archibald Stewart and William King Coffin doth hereby release The Company of and from all claims and demands past, present or future in respect of the said shares so conveyed, transferred and assigned by them respectively to The Company as aforesaid.

III. The Schedule hereto annexed marked "C" shows the names of all the Shareholders of The Company and the amount of the fully paid up shares now held by them respectively as set opposite to their respective names, after

the completion of said re-organization scheme and after registration and acceptance of the transfers and assignments mentioned in the first and second clauses hereof.

IV. AND in pursuance of the premises and for valuable consideration the Bondholders (each of them acting only in respect of the bonds held by him or them respectively as shewn in said Schedule "B") hereby release surrender and assign to the Company all said one thousand and eight outstanding First Mortgage Coupon Bonds of The Company of five hundred dollars each together with the coupons annexed thereto, for the purpose of being cancelled and extinguished; and each of the Bondholders in respect of the Bonds so held by him as aforesaid doth hereby release The Company of and from all claims and demands whatsoever in respect of said Bonds and Coupons and the moneys and interest past due, or accruing due, and secured thereby. And the Bondholders and The Company do hereby authorise and direct the said George Hay and the said William King Coffin to cancel, deface and extinguish all the said issue of twelve hundred First Mortgage Bonds and Coupons mentioned in the said Mortgage Trust Deed of the 15th day of January A.D. 1891, and thereupon to grant to the Company a release and discharge of the said Deed so that the said Mortgage Trust Deed may be extinguished and put an end to.

V. AND it is hereby declared that if the said Archibald Stewart shall not exercise the option of purchasing the two hundred and fifty-two fully paid up shares of The Company mentioned in Schedule "C" as vested in said J. G. Thorp as Trustee within the time and in accordance with the terms of a certain agreement in that behalf made by the Company with said Archibald Stewart, then the said J. G. Thorp shall convey, transfer and assign to The Company the said two hundred and fifty-two shares of The Company so vested in him as Trustee as aforesaid.

VI. IT IS DECLARED that all persons executing this Indenture though named as parties hereto more than once and in various capacities shall be deemed to be fully bound in all their said capacities and otherwise by executing the said Indenture once only; but said Indenture and the transfers mentioned therein shall not be operative till said Indenture has been executed by all the parties thereto.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED and
DELIVERED in the
presence of:

| | | | |
|-------------------|----|---|--------|
| James F. Wilson | to | Louis S. Tainter | (Seal) |
| E. B. Farr | " | F. Weyerhaeuser | " |
| H. H. Waldren | " | F. B. Clark | " |
| E. B. Farr | " | O. H. Ingram by his attor- ney C. H. Ingram | " |
| E. B. Farr | " | W. A. Rust | " |
| Geo. J. Knox | " | J. G. Thorp | " |
| Lewis G. James | " | Sarah C. Bull | " |
| W. H. Carriere | " | Chas. H. Carriere | " |
| John F. Orde | " | L. Crannell | " |
| Chas. H. Carriere | " | H. V. Noel | " |
| E. B. Farr | " | William King Coffin | " |
| John F. Orde | " | Archibald Stewart | " |
| F. C. D. Denkman | " | F. C. A. Denkman | " |
| Thos. J. Morris | " | D. B. MacTavish | " |
| Henry B. Cabot | " | Edmund M. Parker | " |
| Edith L. Dana | " | Annie L. Thorp | " |
| Isabella Stewart | " | McLeod Stewart | " |
| Archibald Stewart | " | Maria Griffin | " |
| Isabelle Stewart | " | Catherine Stewart | " |
| T. C. Coffin | " | G. R. Renfrew, Acting Prest. Quebec Bank | " |
| George J. Knox | " | Canadian Anthracite Coal Co. (Ltd.) by J. G. Thorp, Pres. | " |
| P. Blanchet | " | L. Crannell, Secy. | " |

SCHEDULE "A"

This is Schedule "A" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of all the Shareholders of The Canadian Anthracite Coal Company, Limited, with the numbers and amounts of shares of said Company held by them respectively immediately prior to the re-organization scheme embodied in the annexed Indenture.

| Name of shareholders | Number of shares | Amount in dollars |
|---|------------------|-------------------|
| | | \$ |
| Louis S. Tainter..... | 1,000 | 100,000 |
| F. Weyerhaeuser..... | 500 | 50,000 |
| F. B. Clarke..... | 890 | 89,000 |
| O. H. Ingram..... | 789 | 78,900 |
| W. A. Rust..... | 332 | 33,200 |
| J. G. Thorp..... | 704 | 70,400 |
| Mrs. S. C. Bull..... | 436 | 43,600 |
| C. H. Carriere, Assin. Est. McL. Stewart..... | 2,318 | 231,800 |
| Archibald Stewart..... | 751 | 75,100 |
| H. V. Noel..... | 150 | 15,000 |
| W. K. Coffin..... | 1,619 | 161,900 |
| Levi Crannell..... | 10 | 1,000 |
| F. C. A. Denkman..... | 500 | 50,000 |
| D. B. MacTavish..... | 1 | 100 |
| | 10,000 | 1,000,000 |

SCHEDULE "B".

This is Schedule "B" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of all the First Mortgage Bondholders of The Canadian Anthracite Coal Company Limited with the numbers and amounts of the Bonds of said Company held by them respectively immediately prior to the re-organization scheme embodied in the annexed Indenture.

| Name of Bondholder | Number of bonds held | Amount in dollars |
|--|----------------------|-------------------|
| | | \$ |
| Louis S. Tainter..... | 169 | 84,500 |
| F. Weyerhaeuser..... | 144 | 72,000 |
| F. B. Clarke..... | 88 | 44,000 |
| O. H. Ingram..... | 103 | 51,500 |
| W. A. Rust..... | 53 | 26,500 |
| J. G. Thorp..... | 121 | 60,500 |
| Annie L. Thorp..... | 2 | 1,000 |
| Edmund M. Parker and Jos. G. Thorp..... | 1 | 500 |
| Mrs. S. C. Bull..... | 107 | 53,500 |
| C. H. Carriere, Assignee of McLeod Stewart..... | 99 | 49,500 |
| Archibald Stewart..... | 63 | 31,500 |
| W. K. Coffin..... | 22 | 11,000 |
| J. G. Thorp as Trustee re Archibald Stewart..... | 36 | 18,000 |
| In the Treasury..... | 192 | 96,000 |
| Total..... | 1,200 | 600,000 |

SCHEDULE "C".

This is Schedule "C" referred to in the annexed Indenture dated the Fifth day of February, A.D. 1897, and shews the names of the Shareholders of The Canadian Anthracite Coal Company, Limited, with the numbers and amounts of the shares of the said Company held by them respectively immediately after the completion of the re-organization scheme embodied in said annexed Indenture.

| Names of Shareholders | Number of shares | Amount in dollars |
|--|------------------------|-------------------------|
| | | \$ |
| Louis S. Tainter..... | 1,183 | 118,300 |
| F. Weyerhaeuser..... | 1,008 | 100,800 |
| F. B. Clarke..... | 616 | 61,600 |
| O. H. Ingram..... | 711 | 71,100 |
| W. A. Rust..... | 371 | 37,100 |
| J. G. Thorp..... | 847 | 84,700 |
| Annie L. Thorp..... | 14 | 1,400 |
| Edmund M. Parker and J. G. Thorp..... | 7 | 700 |
| Mrs. S. C. Bull..... | 749 | 74,900 |
| C. H. Carriere, Assignee of McLeod Stewart..... | 543 | 54,300 |
| Archibald Stewart..... | 430 | 43,000 |
| H. V. Noel..... | 150 | 15,000 |
| W. K. Coffin..... | 154 | 15,400 |
| J. G. Thorp as Trustee re Archibald Stewart..... | 252 | 25,200 |
| L. Crannell..... | 10 | 1,000 |
| R. C. Luther..... | 10 | 1,000 |
| D. B. MacTavish..... | 1 | 100 |
| Total..... | 7,056 | 705,600 |

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 66.

An Act to incorporate Devonshire Jockey Club.

[Assented to 9th May, 1933.]

WHEREAS Ottawa Racing Association was incorporated Preamble.
by letters patent under the Companies Act on the twenty-seventh November, 1903, and, by supplementary letters patent, the corporate name was changed to Western Racing Association, Limited; and Whereas the persons named in section one of this Act have by their petition alleged that they represent the purchasers of the assets, undertaking and goodwill of Western Racing Association, Limited, from its Trustee in Bankruptcy; that by order of the Supreme Court of Ontario in Bankruptcy, dated the twenty-second day of March, 1932, the Trustee was held to have no right to convey to the purchasers the corporate powers and privileges enjoyed by the Western Racing Association, Limited; that this application is made for the primary purpose of having confirmed in the petitioners the right to use the assets, undertaking and goodwill purchased, and not for the purpose of obtaining a new racing charter; and have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. William Robinson Woollatt, manager, of the town of Walkerville, Clarence Augustus Pfeffer, capitalist, of the city of Detroit, Charles Patrick McTague, barrister-at-law, Stanley Lount Springsteen, barrister-at-law, both of the city of Windsor, and Alfred Lassaline, farmer, of the township of Sandwich East, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "Devonshire Jockey Club," Incorporation.
Corporate name.
hereinafter called "the Company".

2. The persons named in section one of this Act are hereby constituted provisional directors of the Company. Provisional directors.

Head
Office.

3. The head office of the Company shall be at the city of Windsor, in the province of Ontario.

Directors.

4. The number of directors shall not be less than five nor more than nine, one or all of whom may be paid directors.

Powers.

5. The Company shall be deemed to be vested with the corporate powers and privileges heretofore enjoyed by the Western Racing Association, Limited, and to have the right to use the assets, undertaking and goodwill of the said Western Racing Association, Limited.

Lands for
race meeting
in Essex
County.

6. The Company may acquire by lease, purchase or otherwise, land suitable for the purpose of carrying on the business of holding race-meetings at any place in the county of Essex, in the province of Ontario, and to conduct race-meetings thereon (and shall enjoy the same powers, privileges and exemptions in connection therewith as though it had been incorporated prior to the 20th day of March, 1912).

Capital
stock.

7. The capital stock of the Company shall be five thousand shares without nominal or par value.

Application
of Com-
panies Act.

8. Except where inconsistent with the provisions of this Act, the Company shall have the same powers and privileges and shall be subject to the same restrictions and regulations as though it had been incorporated under the provisions of the *Companies Act*.

R.S., c. 27.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 67.

An Act respecting the Synod of the Diocese of Saskatchewan and to change its name to "Synod of the Diocese of Saskatoon."

[Assented to 30th March, 1933.]

WHEREAS the Synod of the Diocese of Saskatchewan was incorporated by an Act of the Parliament of Canada, chapter one hundred and twenty-six of the statutes of 1882, subsequently amended by chapter one hundred and three of the statutes of 1884, and by its petition has represented that the said Diocese should be divided and that the name "Synod of the Diocese of Saskatchewan" should be changed to "Synod of the Diocese of Saskatoon", and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Preamble.
1882, c. 126;
1884, c. 103.

1. The word "Saskatchewan" where it appears in the fourth line of the first section of the Act incorporating the Synod of the Diocese of Saskatchewan, being chapter one hundred and twenty-six of the statutes of Canada, 1882, and where it appears in all subsequent sections of the said Act as enacted by chapter one hundred and three of the statutes of 1884, shall be and the same is hereby changed to the word "Saskatoon," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Synod, nor in any wise affect any suit or proceeding now pending, or judgment existing either by or in favour of, or against the Synod, which, notwithstanding such change in the name of the Synod, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name
changed.

Rights
saved.

23-24 GEORGE V.

CHAP. 68.

An Act to amend and consolidate the several Acts relating to the Board of Trade of the City of Toronto.

[Assented to 12th April, 1933.]

WHEREAS the Board of Trade of the City of Toronto Preamble. has by its petition represented that it was incorporated by an Act of the Legislature of the late Province of Canada passed in the eighth year of the reign of Her Majesty Queen Victoria, chapter twenty-four of the statutes of 1845, and entitled "An Act to Incorporate the Board of Trade of the City of Toronto," which Act of Incorporation has been amended and added to by the various statutes referred to in the Schedule hereto, and has by its petition sought further powers and amendments, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the consent of the Senate and the House of Commons of Canada, enacts as follows:—

1. The provisions of the Acts referred to in Schedule Previous Acts "E" hereto are repealed and the provisions of this Act are repealed. substituted therefor.

2. The corporate name of the Corporation of The Board Corporate of Trade of the City of Toronto shall be "The Board of name. Trade of the City of Toronto," hereinafter referred to as the "Corporation."

3. The usual place of meeting of the Corporation shall Legal be held to be the legal domicile thereof; and service at domicile of such place of any notice or process of any kind addressed Corporation. to the said Corporation, shall be held to be sufficient service of such notice or process on the Corporation.

OBJECTS OF CORPORATION.

4. The objects of the Corporation are hereby declared to be:—

Promote
trade and
commerce,
economic
and social
welfare.

Commercial
exchange.

Advance
commercial
interests.

Stimulate
social
intercourse.

Publications.

- (a) To promote and/or support such measures as, upon due consideration, are deemed calculated to advance and render prosperous the lawful trade and commerce and to foster the economic and social welfare of the City of Toronto in particular and of the Province of Ontario and the Dominion of Canada in general.
- (b) To provide and regulate a suitable building or room for a general Commercial Exchange and offices in the City of Toronto, and to encourage the centralization of the grain, produce, provision and other trades thereat; to promote the establishment and maintenance of uniformity in the business of its members and those dealing with them; to compile, record and publish statistics respecting the same; to promote the observance of such regulations and requirements as may be by By-Law established, not being contrary to law; and to adjust, settle and determine controversies and misunderstandings between persons engaged in the said trades or which may be submitted to arbitration as hereinafter provided.
- (c) To advance in all lawful ways the commercial interests of the members of the Corporation generally and to secure the advantages to be obtained by mutual co-operation.
- (d) To stimulate, in such way as may be determined from time to time, social intercourse among the members of the Corporation.
- (e) To publish such pamphlets, periodicals and other publications as are deemed advisable in the interests of the Corporation or any of its members.

POWERS OF CORPORATION

Court
proceedings.

Common
seal.

Property.

5. (1) The Corporation shall be a body corporate and politic and may, under the name of "The Board of Trade of the City of Toronto," sue and be sued, implead and be impleaded, answer and be answered, defend and be defended in all Courts of Law and Equity and places whatsoever, and by that name the members and their successors shall have perpetual succession, and may have a common seal, and may break, change, alter or renew the same at their pleasure.

(2) The Corporation shall have power to purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time, and as occasion may require, and to acquire other estate, real or personal, in addition to or in place thereof. Provided always that the Corporation shall not have power to hold lands to a greater value in the whole than seven hundred and fifty thousand dollars.

(3) If and when authorized by by-law duly passed by the Council and sanctioned by at least two-thirds of the votes cast at a special general meeting of the members of the Corporation, duly called for considering the By-Law so passed by the Council, the Corporation shall have the same power to borrow money and secure the same by mortgage, debenture or otherwise, as is permitted to companies incorporated under the *Companies Act*, chapter twenty-seven of the Revised Statutes of Canada, 1927, as the same may exist from time to time.

Power to mortgage or issue debentures.

R.S., c. 27.

6. The funds and property of the said Corporation shall be used and applied to and for such purposes only as may be necessary for attaining the objects for which the Corporation is constituted, according to the true intent and meaning of this Act and the funds of the Corporation may be invested in such securities as are permitted to insurance companies under section sixty-three of *The Canadian and British Insurance Companies Act, 1932*, chapter forty-six of the statutes of 1932, in reference to such companies as the same may exist from time to time, and the Council may from time to time purchase or authorize the purchase, or acquire or authorize the acquisition of stocks, bonds or securities and alienate, sell, convey or otherwise dispose of the same. The Corporation, however, shall not be in any way restricted in its right to purchase lands and erect buildings for the reasonable use of the Corporation, having regard to the future expansion of its requirements. Nothing herein contained, however, is to be construed so as to prevent the Corporation from giving gratuities or annuities to its servants or former servants of the Corporation and the Corporation is hereby expressly empowered to give such gratuities or annuities.

Purposes for which funds and property may be used.

1932, c. 46, s. 63.

Proviso.

MEMBERSHIP

7. (1) The membership of the Corporation shall, at the date upon which this Act comes into force, consist of such persons as are members of The Board of Trade of the City of Toronto at that time and in future the membership shall consist of such of said persons as continue to be members of the Corporation and, in addition, of such persons as are admitted to membership from time to time.

Membership.

(2) The Corporation may admit as members such persons, firms, partnerships or corporations, in such manner and upon such terms, as may be provided by by-law, and may expel, fine or suspend any member, or debar any member from the privileges of and incidental to membership, for such reasons and in such manner as the by-laws of the Corporation shall determine.

Persons who may be members.

Expulsion, suspension, etc.

Limitation
of number of
members.

(3) The Corporation may provide by by-law for the limitation of the number of persons who may become, or be from time to time members thereof.

MANAGEMENT

Officers.

8. (1) The affairs and business of the Corporation shall be managed by a president, one or more vice-presidents, an honorary treasurer, and such other number of members as may be provided by the by-laws of the Corporation, all of whom shall be members, shall together constitute and be called the Council of the Corporation, and, with the exception of the retiring President, who shall be a member of the Council *ex officio* for the year immediately succeeding his term of office, be elected, at such time, manner and place as may be provided in the by-laws, provided, however, that no two or more persons, partners in trade, shall be members of the Council at the same time. The officers and Council of the Corporation in office at the date upon which this Act come into force shall continue to be the Officers and Council of the Corporation until the first election to be held under the provisions of this Act; and the said Council shall, until the said election, have all the powers assigned to the Council of the said Corporation by this Act.

Vacancies.

(2) All vacancies that may occur in the Council, by death, resignation or otherwise, shall be filled by the Council, and the member or members so elected shall hold office until the next annual election and no longer.

Quorum.

(3) Any seven or more members of the Council lawfully met shall be a Quorum; and any majority of such Quorum may do all things within the powers of the Council.

POWERS OF COUNCIL.

Council
meetings.

9. (1) The Council may hold meetings whenever considered necessary at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine and at the said meetings transact such business as may by this Act, or by the by-laws of the Corporation, be assigned to it. Such meetings may be adjourned as decided at such meetings. The said Council shall, in addition to the powers hereby expressly conferred on it, have such powers as shall be assigned to it by any by-law of the Corporation except only the power of enacting or altering any by-law which shall be done in the manner provided by this Act, and no other.

Meetings of
Council open.

(2) The meetings of the members of the Council shall be open to all other members of the Corporation who may attend at the same, but who shall take no part in the proceedings thereat.

EXECUTIVE COMMITTEE.

10. If authorized by by-law of the Corporation, the president, the vice-presidents, the honorary treasurer and the immediate past president shall comprise an Executive Committee of Council who shall, when the Council is not in session, exercise all the powers of the Council. The action of the Executive Committee shall be reported to the Council as soon as possible.

Executive Committee.

ANNUAL AND GENERAL MEETINGS, ELECTIONS, ETC.

11. (1) The annual meeting shall be held for the election of the Council, and for such other purposes as may be brought before such meeting, at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine, and may be adjourned as decided at such meeting; but in case of any accident, failure or neglect to hold such general election the said Corporation shall not thereby lapse or terminate but shall continue and exist, and the members of Council then in office shall continue to hold their respective offices until others shall be elected in their stead at a general election to be held as early as convenient following the date specified in the by-laws for elections, or until they shall be removed from office, or shall vacate the same under the provisions of any by-laws of the Corporation.

Election of officers and Council.

Tenure of office.

(2) No person shall be capable of being re-elected to the office of president, a vice-president, honorary treasurer or member of the Council for the current year, if he shall have been absent from more than one-half of the meetings of Council held in the preceding year, without leave of absence obtained from the president.

Council members ineligible for re-election if absent without leave.

(3) Each member of the Council of the Corporation shall, before entering upon the discharge of his duties as such, take and subscribe an oath according to the form in Schedule "A" to this Act that he will faithfully and truly perform his duty as such a member, and will in all matters connected with the discharge of his duty, do all such things and such things only, as he shall truly and conscientiously believe to be adapted to promote the objects for which the said Corporation is constituted, according to the true intent and meaning of this Act.

Oath of office for Council.

(4) The oath of office as aforesaid shall be administered to the president and vice-presidents hereby appointed by the Mayor of the City of Toronto, or in his absence by any Controller of the said city present, and shall remain among the records of the corporation of the said city, and by the president or a vice-president, or one of them, to the other members of the Council and shall remain among the records of the Corporation.

Administration of oath.

- General meetings.
- (5) General meetings of the Corporation may be held whenever considered necessary by the Council at such time and place and under such regulations and notices as the by-laws of the Corporation shall determine, and may be adjourned as decided at such meetings.
- Special general meetings.
- (6) It shall always be lawful for the Council of the Corporation, or a majority of them, by a notice inserted at least two days in one or more newspapers published in the said city of Toronto, and posted during the said time in a conspicuous part of the place where the meetings of the Corporation are then held, or by a circular from the Secretary to each member, to call a general meeting of the Corporation for any of the purposes of this Act.
- Quorum at general meetings.
- (7) At any annual or other general meeting of the Corporation, whether for the purpose of electing members of the Council or for any other purpose, any fifteen or more members of the Corporation shall form a Quorum and shall be competent to do and perform all acts which, either by this Act or by any by-law of the Corporation, are or shall be directed to be done at any such general meeting.

CHAIRMAN OF MEETINGS.

- Who shall preside.
12. At all meetings of the Council, and of all general meetings of the Corporation, the president, or in his absence a vice-president, or if all are absent any member of the Council then present who may be chosen for the occasion, shall preside and shall have the right to vote as a member, and shall also in all cases of equality of votes upon any division have a casting vote.

MINUTES OF MEETINGS.

- Minutes to be entered in registers.
13. The minutes of the proceedings at all Council and general meetings of the Corporation shall be entered in registers to be kept for that purpose by the secretary, and such minutes shall be read at the following meeting, and if approved, be signed by the president and secretary or their substitutes.

BY-LAWS.

- By-laws, how to be made, and for what purpose.
14. (1) It shall be lawful for the Corporation or the majority of those present at any general meeting, to make and enact such by-laws, rules and regulations for the government of the Corporation, its Council, officers and affairs and for the guidance of Boards of Arbitration, hereinafter mentioned, as such majority shall deem meet; provided that no such by-laws shall be contrary to, or inconsistent with, the provisions of this Act, or the laws of the Province of Ontario or of the Dominion of Canada; and such by-laws shall be binding on all members of the Corporation, its
- Proviso.
- 52
- officers

officers and servants, and all other persons whomsoever, lawfully under its control; provided that no by-law as aforesaid shall be made or enacted by the said Corporation without notice thereof having been given by motion of one member and seconded by another member at a previous general meeting, and duly entered on the minutes of the Corporation.

(2) It shall be the duty of the council to frame such by-laws, rules and regulations as they shall consider best adapted to promote the welfare of the said Corporation, and the purposes of this Act and to submit the same for adoption to a general meeting of the Corporation called for that purpose in the manner hereinbefore provided.

Proviso.
Council to prepare by-laws and submit them to a general meeting.

(3) For the sake of greater clarity, but not so as to restrict the generality of the foregoing, the Corporation's power to make by-laws shall include power to make by-laws for the formation, maintenance and regulation of a general Commercial Exchange Office and the property thereof; for the raising of capital therefor by the issue of transferable shares or otherwise; for the determination of the conditions under which shares may be transferred or forfeited; for the employment of a general manager, secretary, and such clerks and other officers and servants as may be necessary; for regulating the mode of voting at any ordinary or general meeting of the Corporation; and for all and any other purposes, within the powers conferred by this Act, and for the administration of their affairs generally, and further to amend and repeal such By-laws from time to time, in the manner provided for such By-laws; and generally shall have all needful corporate powers for the purposes of this Act.

Certain powers included.

BOARDS OF ARBITRATION, POWERS, ETC.

15. (1) The Corporation shall have power to provide by by-law for the election or appointment by nomination of arbitrators, members of the Corporation, to hear and decide controversies, disputes and misunderstandings relating to any commercial matter which may arise between members of the Corporation, or any person whatsoever claiming by, through, or under them, which shall or may be submitted for arbitration by the parties to any dispute; but nothing shall prevent the parties in any case from naming members or non-members of the Corporation as the arbitrators to whom the matter shall be submitted. It shall also be permissible for each of the parties in any case to name a member or a non-member of the Corporation as arbitrators and for the arbitrators so named to appoint an additional arbitrator who shall be the umpire or chairman. Nothing herein contained shall prevent any non-member of the Corporation from agreeing with a member of the

Corporation may appoint arbitrators.

Disputants may nominate arbitrators.

Corporation to submit matters in dispute between them under the provisions of the corporation for arbitration as provided in this Act.

Majority of
arbitrators
to decide.

(2) Members and persons assenting to an arbitration by an instrument in writing, signed by them according to the form in Schedule "B" to this Act, shall be understood to have submitted to the decision of the majority of the arbitrators who, under any by-law, or by nomination of the parties, or by the submission, may be appointed to hear the case, and to decide upon the same.

Arbitrators
to be sworn.

(3) The elected arbitrators shall, after their election and before they act as arbitrators, take and subscribe an oath before any justice of the peace, or any commissioner appointed to receive affidavits in the Superior Courts (who are hereby empowered to administer such oaths) that will faithfully, diligently and impartially perform their duties as Arbitrators, and will, in all cases to be submitted give a true and just award according to the best of their judgment and ability, without fear, favour or affection. of or for any party or person whomsoever; and Arbitrators nominated by the parties shall, in each case before they act, take and subscribe a similar oath, in manner aforesaid; and such oath may be according to the form in Schedule "C" of this Act. This oath shall be kept among the documents of the Corporation, in the manner provided with regard to the oath taken by the members of the Council.

Form of oath.

Where to be
kept.

Members of
Council may
be members
of Board of
Arbitration.

Powers of
arbitrators
hearing a
case.

Award.

(4) Any member of the Council of the Corporation may be at the same time a member of a Board of Arbitration.

(5) The three members appointed to hear any case submitted for arbitration, as aforesaid, or any two of them, shall have full power to examine upon oath (which oath any one of such three members is hereby empowered to administer and which may be according to the form in Schedule "D" of this Act) any witness appearing before them, whether voluntarily or subject to subpoena, and may also read and consider any evidence taken on commission by the authority of any court, and shall give their award thereupon in writing; and their decision, or that of any two of them, given in such award, shall bind the parties according to the terms of the submission and the provisions of this Act.

Issue of
subpoena.

(6) In case of any arbitration under or pursuant to the powers or authority or at the instance of the Corporation or the officers thereof, any party thereto may without leave or order obtain and issue from and out of the Supreme Court or Superior Court of any province, a subpoena commanding and requiring the attendance and examination of any witness, and also the production of any documents to and before the arbitrators and at the time and place mentioned in such subpoena.

(7) If in addition to the service of such subpoena, an appointment of time and place of attendance in obedience thereto signed by the president of the said Corporation, or the chairman of any Board of Arbitration thereof, or by one of the arbitrators before whom the attendance is required, is served either together with or after the service of such subpoena, the disobedience of such subpoena shall, subject to the provisions of the Judicature Acts of the various Provinces and/or of the Code of Civil Procedure of the Province of Quebec, be deemed a contempt of Court, but the person whose attendance is required shall be entitled to the like conduct money and payment of expenses, and for loss of time as for and upon attendance at any trial in the Supreme Court or Superior Court of any province in which such arbitration is being held, and no person shall be compelled to produce under any such subpoena any writing or other document that he would not be compelled to produce at a trial in the province in which the arbitration is to be held.

Compelling
attendance of
witnesses.

(8) The witnesses upon any such reference shall, unless the parties otherwise agree or consent, be examined upon oath, and one of the arbitrators may administer an oath to any such witness, or take his affirmation in any case where an affirmation is allowed by law instead of an oath.

Evidence
under oath.

(9) Upon petition approved by the arbitrators or a majority of them, any Court of Record in and for the district or county in which the arbitrators, or a majority of them, are sitting may direct the taking of depositions to be used as evidence before the arbitrators in the same manner and for the same reasons as provided by law for the taking of depositions in suits or proceedings pending in the Courts of Record in the province in which the arbitration is to be held.

Depositions.

(10) Any agreement or submission to arbitration made in writing and signed by the parties thereto in pursuance of the provisions of this Act and the rules and regulations of the Corporation, shall be deemed a consent or voluntary submission within the meaning of the "*Arbitration Act*" of the province, in which such arbitration is to be held, and the decision of the arbitrators thereon may be made a rule or order of the Supreme Court or the Superior Court of the province in which such arbitration was held, unless such agreement or submission contains words indicating that the parties intended that it should not be made a rule or order of Court.

Agreement
may be made
a rule of
Court.

(11) The Corporation may provide by by-law any form of agreement or submission to arbitration between its members not contrary to law in lieu of the form contained in Schedule "B" to this Act, and subsection two of section fifteen of this Act shall apply to the form so substituted.

Form of
agreement for
arbitration
may be
prescribed.

BOARDS OF EXAMINERS.

Council may
appoint
Boards of
Examiners.

16. (1) The Council of the Corporation may from time to time appoint as provided in the *Inspection and Sale Act*, chapter one hundred of the Revised Statutes of Canada, Boards of Examiners to examine applicants for the office of inspector or deputy inspector, for or within the City of Toronto, of hay, flour, meal and feed, or of beef and pork, or of pot and pearl ashes, or of leather and raw hides, or of fish nets or of binder twine, or of any other article subject to inspection; the numbers, powers and duties of such Boards, and of the members thereof respectively shall in all respects continue to be in accordance with the provisions of the said Act and they shall be sworn to the due performance of their duty in like manner.

Members of
Council may
be appointed.

(2) Nothing herein contained shall prevent a member of Council from being appointed a member of a Board of Examiners or a member of a Board of Examiners from being elected to the Council of the Corporation.

TRADE AND PROFESSIONAL BRANCHES AND AFFILIATED ORGANIZATIONS.

Trade and
professional
branches.

17. The Corporation shall have power to provide by by-law for the organization of Trade and Professional Branches of the Corporation for such purposes and with such powers as may be determined by by-law, and for the affiliation with the Corporation of civic, trade or business associations upon such terms and under such conditions as may be provided by by-law.

RECOVERY OF MONEYS DUE CORPORATION.

Power
to sue.

18. All subscriptions of members due to the Corporation under any by-law, all penalties incurred under any by-law, by any person found thereby, and all other sums of money due to the Corporation, shall be paid to the Honorary Treasurer thereof, and in default of payment may be recovered in any action brought by him in the name of the Corporation in any Court of competent civil jurisdiction.

LIABILITY OF MEMBERS.

Liability of
members
limited.

19. No member, or office holder, shall as such be responsible for any act, default or liability of the Corporation or for any engagement, claim, payment, loss, injury, transaction, matter or thing relating to or connected with the Corporation beyond the amount unpaid in respect of his dues.

AFFIRMATIONS.

20. Any person who may by law in other cases make a solemn affirmation, instead of taking an oath, may make such solemn affirmation in any case where by this Act an oath is required; and any person hereby authorized to administer an oath, may in such cases as aforesaid, administer such solemn affirmation; and any person who shall wilfully swear or affirm falsely in any case where an oath or solemn affirmation is required or authorized, shall be guilty of wilful and corrupt perjury.

Affirmations may be substituted for oaths.

SAVING OF RIGHTS.

21. Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected.

Saving of rights not expressly affected.

TORONTO CORN EXCHANGE.

22. The Board of Trade of the City of Toronto is declared to be a Corporation existing since its incorporation under the name of the Toronto Board of Trade in the year 1845 and to include the Toronto Corn Exchange Association incorporated in the year 1872 and amalgamated with the Board of Trade of the City of Toronto in the year 1884, notwithstanding anything in this Act contained or any provision herein contained for the repeal of any statutes scheduled hereto.

Incorporation 1845.
Toronto Corn Exchange.

SCHEDULE "A"

FORM OF OATH

Council

I, A.B., solemnly swear that I will faithfully and truly perform my duty as a member of the Council of the Board of Trade of the City of Toronto, and that I will, in all matters connected with the discharge of such duty, do all such things and such things only, as I shall truly and conscientiously believe to be adapted to promote the object for which the said Board was constituted according to the true intent and meaning of the Act incorporating the same. So help me God.

Oath for Council.

Sworn before me this day A.B.
of A.D. 19 .

SCHEDULE "B"

Deed of Submission to Arbitration

Form of
submission
for
arbitration.

"AGREEMENT made this day of
one thousand nine hundred and Between
of and of
Whereas differences have arisen between the parties hereto
in respect to

and they have consented and agreed to refer such differences to arbitration.

"NOW IT IS HEREBY AGREED by the said parties for themselves, their executors and administrators respectively, that all matters in difference between them in relation to the premises shall be and are hereby referred to the award of the Board of Arbitration of the Board of Trade of the City of Toronto, as provided in their Act of Incorporation and amending Acts (or to
and together with a third arbitrator to be appointed by them).

"Provided that the said award shall be made on or before the day of next, or any further time to which the said arbitrators or any two of them may enlarge the same by writing under their hands.

"And they agree that the said award of the said arbitrators, or of a majority of them, shall be final and conclusive to all intents and purposes between them, and each of them agree for self and executors and administrators, to abide by and perform the award so to be made, and to pay such costs, fees and expenses as may be directed by such award.

"And it is further agreed that this submission shall be subject to the provisions of the Arbitration Act of the Province in which the arbitration is to be held, except insofar as the same may be contrary to this Act and the By-Laws made in pursuance thereof.

"And it is further provided that this submission shall be deemed a consent or voluntary submission within the meaning of the Arbitration Act of the Province in which the arbitration is to be held.

"IN WITNESS WHEREOF the said parties have hereunto set their hands and seals.

"Signed, sealed and delivered in the presence of "

SCHEDULE "C 1"

FORM OF OATH

Members of the Board of Arbitration

I, C.D. solemnly swear that I will faithfully, impartially, and diligently perform my duty as a member of the Board of Arbitration of the Board of Trade of the City of Toronto, and that I will, in all cases in which I shall act as Arbitrator, give a true and just award, according to the best of my judgment and ability, without fear, favour, or affection of or for any party or person whomsoever. So help me God.

C.D.

Sworn before me this day
of A.D. 19 .

SCHEDULE "C 2"

FORM OF OATH

Arbitrators when named by the parties

I, solemnly swear that I will faithfully, diligently and impartially perform my duty as Arbitrator, and I will in the case, between and now submitted to me, give a true and just award, according to the best of my judgment and ability, without fear, favour or affection, of or for any party or person whomsoever. So help me God.

(This oath to be taken before any Justice of the Peace or any Commissioner appointed to receive affidavits in the Supreme or Superior Courts.)

SCHEDULE "D"

FORM OF OATH

Witnesses

I, solemnly swear that I will true answer make to all such questions as shall be asked of me as a witness under examination in this case, between and and therein I will, to the best of my knowledge, information and belief, speak the truth, the whole truth, and nothing but the truth. So help me God.

SCHEDULE "E".

The following Statutes relating to the Board of Trade of the City of Toronto are hereby repealed:—

i An Act of the Legislature of the late Province of Canada, passed in the eighth year of the reign of Her Majesty Queen Victoria, Chapter Twenty-four, and entitled 'An Act to Incorporate The Board of Trade of the City of Toronto,' as amended by 32-33 Victoria, Cap. XLVII, S. 7.

ii An Act of the Parliament of Canada, passed in the thirty-fifth year of Her Majesty's reign, Chapter Forty-five, and entitled 'An Act to Incorporate the Toronto Corn Exchange Association.'

iii An Act of the Parliament of Canada, passed in the forty-seventh year of Her Majesty's reign, Chapter Forty-six, and entitled 'An Act to Amalgamate The Board of Trade of the City of Toronto and the Toronto Corn Exchange Association.'

iv An Act of the Parliament of Canada, passed in the forty-ninth year of Her Majesty's reign, Chapter Fifty-six, and entitled 'An Act to Amend the Several Acts Relating to The Board of Trade of the City of Toronto.'

v An Act of the Parliament of Canada passed in the fifty-first year of Her Majesty's reign, Chapter Ninety-nine, and entitled 'An Act to Amend the Several Acts Relating to The Board of Trade of the City of Toronto.'

vi An Act of the Parliament of Canada passed in the fifty-second year of Her Majesty's reign, Chapter One Hundred, and entitled 'An Act Further to Amend the Several Acts Relating to The Board of Trade of the City of Toronto.'

vii An Act of the Parliament of Canada passed in the fifty-third year of Her Majesty's reign, Chapter Thirty-nine, and entitled 'An Act Respecting The Board of Trade of the City of Toronto.'

viii An Act of the Parliament of Canada passed in the fifty-ninth year of Her Majesty's reign, Chapter Forty-five, and entitled 'An Act Relating to The Board of Trade of the City of Toronto.'

ix An Act of the Parliament of Canada passed in the sixty-first year of Her Majesty's reign, Chapter One Hundred and Seventeen, and entitled 'An Act Respecting The Board of Trade of the City of Toronto'."

23-24 GEORGE V.

CHAP. 69.

An Act for the relief of Hilda Nice Allen.

[Assented to 12th April, 1933.]

WHEREAS Hilda Nice Allen, residing at the city of Preamble.
Westmount, in the province of Quebec, clerk, wife
of George Robinson Allen, agent, who is domiciled in Canada
and formerly resided at the city of Montreal, in the said
province, has by her petition alleged that they were married
on the eighteenth day of June, A.D. 1921, at the town of
Montreal West, in the said province, she then being Hilda
Nice, a spinster; and whereas by her petition she has
prayed that, because of his adultery since then, their
marriage be dissolved; and whereas the said marriage
and adultery have been proved by evidence adduced and
it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Hilda Nice and George Marriage
Robinson Allen, her husband, is hereby dissolved, and shall dissolved.
be henceforth null and void to all intents and purposes
whatsoever.

2. The said Hilda Nice may at any time hereafter marry Right to
any man whom she might lawfully marry if the said mar- marry again.
riage with the said George Robinson Allen had not been
solemnized.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 70.

An Act for the relief of Henry Norman Bethune.

[Assented to 30th March, 1933.]

Preamble.

WHEREAS Henry Norman Bethune, residing at the village of Rawdon, in the province of Quebec, physician, has by his petition alleged that on the thirteenth day of August, A.D. 1923, at the city of London, England, he and Frances Eleanor Campbell Penney, who was then of the said city of London, a spinster, were married; that his legal domicile was then and is now in Canada; that in the year A.D. 1927, she obtained in the Wayne County Circuit Court in Chancery, in the state of Michigan, one of the United States of America, a decree of divorce from him; that on the eleventh day of November, A.D. 1929, at the city of Montreal, in the province of Quebec, he went through a ceremony purporting to be the solemnization of matrimony between him and the said Frances Eleanor Campbell Penney; that during the year A.D. 1932, the said Frances Eleanor Campbell Penney committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage with the said Frances Eleanor Campbell Penney and to declare null and void the ceremony purporting to be a solemnization of matrimony between him and the said Frances Eleanor Campbell Penney; and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Henry Norman Bethune and Frances Eleanor Campbell Penney, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. It is hereby declared and enacted that the ceremony purporting to be a solemnization of matrimony between the said Henry Norman Bethune and the said Frances Eleanor Campbell Penney was null and of no effect to create the bond of marriage between them. ^{Marriage annulled.}

3. The said Henry Norman Bethune may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Frances Eleanor Campbell Penney had not been solemnized. ^{Right to marry again.}

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23-24 GEORGE V.

CHAP. 71.

An Act for the relief of Auguste Burdayron.

[Assented to 12th April, 1933.]

Preamble.

WHEREAS Auguste Burdayron, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, chef, has by his petition alleged that on the eighteenth day of March, A.D. 1915, at the said city, he and Béatrice Amélia Montreuil, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Auguste Burdayron and Béatrice Amélia Montreuil, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Auguste Burdayron may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Béatrice Amélia Montreuil had not been solemnized.

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23-24 GEORGE V.

CHAP. 72.

An Act for the relief of Nora Tulloch Carr.

[Assented to 12th April, 1933.]

WHEREAS Nora Tulloch Carr, residing at the city of ^{Preamble.} Montreal, in the province of Quebec, secretary, wife of Henry Wilfrid Carr, manager, who is domiciled in Canada residing and at the said city, has by her petition alleged that they were married on the fifteenth day of February, A.D. 1919, in the parish of Barnes, in the county of Surrey, England, she then being Nora Tulloch, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Nora Tulloch and Henry Wilfrid Carr, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. ^{Marriage dissolved.}

2. The said Nora Tulloch may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Wilfrid Carr had not been solemnized. ^{Right to marry again.}

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23-24 GEORGE V.

CHAP. 73.

An Act for the relief of Joseph Claremont Carroll.

[Assented to 23rd May, 1933.]

Preamble.

WHEREAS Joseph Claremont Carroll, domiciled in Canada and residing at the town of Senneterre, in the county of Abitibi, in the province of Quebec, prospector, has by his petition alleged that on the twenty-seventh day of October, A.D. 1928, at the city of Winnipeg, in the province of Manitoba, he and Marjorie Aida Barrack, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Joseph Claremont Carroll and Marjorie Aida Barrack, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Joseph Claremont Carroll may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Marjorie Aida Barrack had not been solemnized.

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23-24 GEORGE V.

CHAP. 74.

An Act for the relief of George Andrew Carruthers.

[Assented to 23rd May, 1933.]

WHEREAS George Andrew Carruthers, domiciled in Preamble.
Canada and residing at the city of Montreal, in
the province of Quebec, grain and lumber merchant, has
by his petition alleged that on the twenty-fourth day of
October, A.D. 1925, at the city of Atlantic City, in the
state of New Jersey, one of the United States of America,
he and Catherine Cassidy Armstrong, who was then of
the city of New York, in the state of New York, one of
the United States of America, a widow, were married; and
whereas by his petition he has prayed that, because of
her adultery since then, their marriage be dissolved; and
whereas the said marriage and adultery have been proved
by evidence adduced and it is expedient that the prayer
of his petition be granted: Therefore His Majesty, by
and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. The said marriage between George Andrew Carruthers and Catherine Cassidy Armstrong, his wife, is Marriage dissolved.
hereby dissolved, and shall be henceforth null and void
to all intents and purposes whatsoever.

2. The said George Andrew Carruthers may at any Right to marry again.
time hereafter marry any woman whom he might lawfully
marry if the said marriage with the said Catherine Cassidy
Armstrong had not been solemnized.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 75.

An Act for the relief of Joseph Adrien Desmarteau.

[Assented to 30th March, 1933.]

Preamble.

WHEREAS Joseph Adrien Desmarteau, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, butcher, has by his petition alleged that on the first day of February, A.D. 1921, at the said city, he and Marie Léona Lachapelle, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Joseph Adrien Desmarteau and Marie Léona Lachapelle, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Joseph Adrien Desmarteau may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Marie Léona Lachapelle had not been solemnized.

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23-24 GEORGE V.

CHAP. 76.

An Act for the relief of Marjorie Elizabeth Rae Dixon.

[Assented to 30th March, 1933.]

WHEREAS Marjorie Elizabeth Rae Dixon, residing at Preamble.
the city of Montreal, in the province of Quebec, wife
of Cecil Dixon, assistant editor, who is domiciled in Canada
and residing at the said city, has by her petition alleged
that they were married on the sixteenth day of September,
A.D. 1929, at the said city, she then being Marjorie Eliza-
beth Rae, a spinster; and whereas by her petition she has
prayed that, because of his adultery since then, their marri-
age be dissolved; and whereas the said marriage and
adultery have been proved by evidence adduced and it is
expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Marjorie Elizabeth Rae Marriage
and Cecil Dixon, her husband, is hereby dissolved, and dissolved.
shall be henceforth null and void to all intents and purposes
whatsoever.

2. The said Marjorie Elizabeth Rae may at any time Right to
hereafter marry any man whom she might lawfully marry marry again
if the said marriage with the said Cecil Dixon had not been
solemnized.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 77.

An Act for the relief of Clarence Eldon Durham.

[Assented to 30th March, 1933.]

Preamble.

WHEREAS Clarence Eldon Durham, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, automobile mechanic, has by his petition alleged that on the ninth day of April, A.D. 1920, at the said city, he and Uena Ethel Makin, who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Clarence Eldon Durham and Uena Ethel Makin, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Clarence Eldon Durham may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Uena Ethel Makin had not been solemnized.

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23-24 GEORGE V.

CHAP. 78.

An Act for the relief of Hilda Mary Falkenberg Gilmour.

[Assented to 23rd May, 1933.]

WHEREAS Hilda Mary Falkenberg Gilmour, residing at the city of Montreal, in the province of Quebec, wife of Kenneth Farquharson Gilmour, bank manager, who is domiciled in Canada and residing at the city of Westmount, in the said province, has by her petition alleged that they were married on the twenty-eighth day of April, A.D. 1904, at the city of Quebec, in the said province, she then being Hilda Mary Falkenberg Pentland, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said marriage between Hilda Mary Falkenberg Pentland and Kenneth Farquharson Gilmour, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

2. The said Hilda Mary Falkenberg Pentland may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Kenneth Farquharson Gilmour had not been solemnized.

Right to marry again.

23-24 GEORGE V.

CHAP. 79.

An Act for the relief of Eva Amy Falle Jordan.

[Assented to 23rd May, 1933.]

Preamble.

WHEREAS Eva Amy Falle Jordan, residing at the city of Montreal, in the province of Quebec, dressmaker, wife of Richard Dean Jordan, machinist, who is domiciled in Canada and residing at the town of Walkerville, in the province of Ontario, has by her petition alleged that they were married on the twenty-third day of December, A.D. 1906, at the said city of Montreal, she then being Eva Amy Falle, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Eva Amy Falle and Richard Dean Jordan, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Eva Amy Falle may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Richard Dean Jordan had not been solemnized.

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23-24 GEORGE V.

CHAP. 80.

An Act for the relief of Venita Angeline Scotten Kendall.

[Assented to 23rd May, 1933.]

WHEREAS Venita Angeline Scotten Kendall, residing Preamble.
at the city of Montreal, in the province of Quebec,
wife of John Young Kendall, contractor, who is domiciled
in Canada and residing at the city of Westmount, in the
said province, has by her petition alleged that they were
married on the eighteenth day of September, A.D. 1919,
at the city of New York, in the state of New York, one
of the United States of America, she then being Venita
Angeline Scotten, a spinster; and whereas by her petition
she has prayed that, because of his adultery since then,
their marriage be dissolved; and whereas the said marriage
and adultery have been proved by evidence adduced and
it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts as
follows:—

1. The said marriage between Venita Angeline Scotten Marriage dissolved.
and John Young Kendall, her husband, is hereby dissolved,
and shall be henceforth null and void to all intents and
purposes whatsoever.

2. The said Venita Angeline Scotten may at any time Right to marry again.
hereafter marry any man whom she might lawfully marry
if the said marriage with the said John Young Kendall had
not been solemnized.

23-24 GEORGE V.

CHAP. 81.

An Act for the relief of Emily Florence Lawrence Knight.

[Assented to 23rd May, 1933.]

Preamble.

WHEREAS Emily Florence Lawrence Knight, residing at the city of Montreal, in the province of Quebec, stenographer, wife of Leslie Knight, painting contractor, who is domiciled in Canada and residing at the city of Longueuil, in the said province, has by her petition alleged that they were married on the twenty-fifth day of October, A.D. 1927, at the said city of Montreal, she then being Emily Florence Lawrence, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Emily Florence Lawrence and Leslie Knight, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Emily Florence Lawrence may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Leslie Knight had not been solemnized.

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23-24 GEORGE V.

CHAP. 82.

An Act for the relief of Olga Shidlowskaya Lowrey.

[Assented to 23rd May, 1933.]

WHEREAS Olga Shidlowskaya Lowrey, residing at the city of Montreal, in the province of Quebec, wife of John Douglas Lowrey, insurance agent, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twelfth day of January, A.D. 1931, at the said city, she then being Olga Shidlowskaya, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Olga Shidlowskaya and John Douglas Lowrey, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Olga Shidlowskaya may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Douglas Lowrey had not been solemnized.

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23-24 GEORGE V.

CHAP. 83.

An Act for the relief of Liliás Torrance Newton.

[Assented to 23rd May, 1933.]

Preamble.

WHEREAS Liliás Torrance Newton, residing at the city of Montreal, in the province of Quebec, artist, wife of Frederick Gilbert Newton, broker, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the first day of June, A.D. 1921, at the city of Lachine, in the said province, she then being Liliás Torrance, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Liliás Torrance and Frederick Gilbert Newton, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Liliás Torrance may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Gilbert Newton had not been solemnized.

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23-24 GEORGE V.

CHAP. 84.

An Act for the relief of Harry Prupas.

[Assented to 23rd May, 1933.]

WHEREAS Harry Prupas, domiciled in Canada and Preamble.
residing at the city of Montreal, in the province of
Quebec, hairdresser, has by his petition alleged that on
the twenty-seventh day of December, A.D. 1925, at the
said city, he and Esther Braunstein, who was then of the
said city, a spinster, were married; and whereas by his
petition he has prayed that, because of her adultery since
then, their marriage be dissolved; and whereas the said
marriage and adultery have been proved by evidence
adduced and it is expedient that the prayer of his petition
be granted: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. The said marriage between Harry Prupas and Esther Marriage
Braunstein, his wife, is hereby dissolved, and shall be dissolved.
henceforth null and void to all intents and purposes what-
soever.

2. The said Harry Prupas may at any time hereafter Right to
marry any woman whom he might lawfully marry if the marry again.
said marriage with the said Esther Braunstein had not
been solemnized.

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23-24 GEORGE V.

CHAP. 85.

An Act for the relief of Mary Louise Robinson Reid.

[Assented to 12th April, 1933.]

Preamble.

WHEREAS Mary Louise Robinson Reid, residing at the city of Montreal, in the province of Quebec, secretary, wife of Victor John Reid, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-fifth day of April, A.D. 1928, at the said city, she then being Mary Louise Robinson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Mary Louise Robinson and Victor John Reid, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Mary Louise Robinson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Victor John Reid had not been solemnized.

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23-24 GEORGE V.

CHAP. 86.

An Act for the relief of Elizabeth Bernstein Schmerling.

[Assented to 12th April, 1933.]

WHEREAS Elizabeth Bernstein Schmerling, residing at Preamble.
the city of Montreal, in the province of Quebec,
advertising agent, wife of Samuel Schmerling, pharmacist,
who is domiciled in Canada and residing at the said city, has
by her petition alleged that they were married on the eighth
day of April, A.D. 1924, at the said city, she then being
Elizabeth Bernstein, a spinster; and whereas by her petition
she has prayed that, because of his adultery since then,
their marriage be dissolved; and whereas the said marriage
and adultery have been proved by evidence adduced and it is
expedient that the prayer of her petition be granted: There-
fore His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as fol-
lows:—

1. The said marriage between Elizabeth Bernstein and Marriage dissolved.
Samuel Schmerling, her husband, is hereby dissolved, and
shall be henceforth null and void to all intents and purposes
whatsoever.

2. The said Elizabeth Bernstein may at any time here- Right to marry again.
after marry any man whom she might lawfully marry if the
said marriage with the said Samuel Schmerling had not been
solemnized.

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23-24 GEORGE V.

CHAP. 87.

An Act for the relief of Maurice Pashlink Simon, otherwise known as Maurice Simon Pashlinski.

[Assented to 30th March, 1933.]

Preamble.

WHEREAS Maurice Pashlink Simon, otherwise known as Maurice Simon Pashlinski, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, manager, has by his petition alleged that on the twenty-ninth day of January, A.D. 1921, at the said city of Montreal, he and Margaret Louise Shackleton, who was then of the city of Waltham, in the state of Massachusetts, one of the United States of America, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Maurice Pashlink Simon, otherwise known as Maurice Simon Pashlinski, and Margaret Louise Shackleton, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Maurice Pashlink Simon, otherwise known as Maurice Simon Pashlinski, may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Margaret Louise Shackleton had not been solemnized.

23-24 GEORGE V.

CHAP. 88.

An Act for the relief of Angelo Stavrow.

[Assented to 23rd May, 1933.]

WHEREAS Angelo Stavrow, domiciled in Canada and Preamble.
residing at the city of Montreal, in the province
of Quebec, machinist, has by his petition alleged that on
the sixteenth day of May, A.D. 1914, at the city of Port
Arthur, in the province of Ontario, he and Alice Maud
Kingston, who was then of the said city of Port Arthur,
a spinster, were married; and whereas by his petition he
has prayed that, because of her adultery since then, their
marriage be dissolved; and whereas the said marriage
and adultery have been proved by evidence adduced and
it is expedient that the prayer of his petition be granted;
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Angelo Stavrow and Marriage
Alice Maud Kingston, his wife, is hereby dissolved, and dissolved.
shall be henceforth null and void to all intents and purposes
whatsoever.

2. The said Angelo Stavrow may at any time hereafter Right to
marry any woman whom he might lawfully marry if the marry again.
said marriage with the said Alice Maud Kingston had
not been solemnized.

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King's Most Excellent Majesty.

23-24 GEORGE V.

CHAP. 89.

An Act for the relief of Birdie Glickman Steinberg.

[Assented to 23rd May, 1933.]

Preamble.

WHEREAS Birdie Glickman Steinberg, residing at the city of Westmount, in the province of Quebec, wife of Jack Steinberg, manufacturer, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married on the twenty-third day of November, A.D. 1926, at the said city of Westmount, she then being Birdie Glickman, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Birdie Glickman and Jack Steinberg, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Birdie Glickman may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Jack Steinberg had not been solemnized.

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23-24 GEORGE V.

CHAP. 90.

An Act for the relief of Marjorie Bertha Willcox.

[Assented to 23rd May, 1933.]

WHEREAS Marjorie Bertha Willcox, residing at the Preamble.
city of Quebec, in the province of Quebec, secretary-
treasurer, wife of Frederick Ernest Willcox, clerk, who
is domiciled in Canada and residing at the city of Montreal,
in the said province, has by her petition alleged that they
were married on the seventh day of June, A.D., 1924,
at the city of London, England, she then being Marjorie
Bertha Wall, a spinster; and whereas by her petition she
has prayed that, because of his adultery since then,
their marriage be dissolved; and whereas the said marriage
and adultery have been proved by evidence adduced and
it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Marjorie Bertha Wall Marriage
and Frederick Ernest Willcox, her husband, is hereby dissolved.
dissolved, and shall be henceforth null and void to all
intents and purposes whatsoever.

2. The said Marjorie Bertha Wall may at any time Right to
hereafter marry any man whom she might lawfully marry marry again.
if the said marriage with the said Frederick Ernest Willcox
had not been solemnized.

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23-24 GEORGE V.

CHAP. 91.

An Act for the relief of Margaret Borham Willson.

[Assented to 30th March, 1933.]

Preamble.

WHEREAS Margaret Borham Willson, residing at the city of Montreal, in the province of Quebec, wife of Wellington Colman Willson, superintendent, who is domiciled in Canada and residing at the city of Outremont, in the said province, has by her petition alleged that they were married on the fifth day of February, A.D. 1902, at the city of Sharon, in the state of Pennsylvania, one of the United States of America, she then being Margaret Borham, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Margaret Borham and Wellington Colman Willson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Margaret Borham may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Wellington Colman Willson had not been solemnized.

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23-24 GEORGE V.

CHAP. 92.

An Act for the relief of Alberta Grace Wood.

[Assented to 12th April, 1933.]

WHEREAS Alberta Grace Wood, residing at the city of Preamble.
Ottawa, in the province of Ontario, sales clerk, wife of
Percival Lester Wood, clerk, who is domiciled in Canada and
residing at the city of Montreal, in the province of Quebec,
has by her petition alleged that they were married on the
twenty-sixth day of April, A.D. 1922, at the village of
Milverton, in the province of Ontario, she then being
Alberta Grace Hehn, otherwise known as Alberta Grace
Hayne, a spinster; and whereas by her petition she has
prayed that, because of his adultery since then, their mar-
riage be dissolved; and whereas the said marriage and
adultery have been proved by evidence adduced and it is
expedient that the prayer of her petition be granted: There-
fore His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts as
follows:—

1. The said marriage between Alberta Grace Hehn, Marriage dissolved.
otherwise known as Alberta Grace Hayne and Percival
Lester Wood, her husband, is hereby dissolved, and shall
be henceforth null and void to all intents and purposes
whatsoever.

2. The said Alberta Grace Hehn, otherwise known as Right to marry again.
Alberta Grace Hayne may at any time hereafter marry
any man whom she might lawfully marry if the said mar-
riage with the said Percival Lester Wood had not been
solemnized.

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